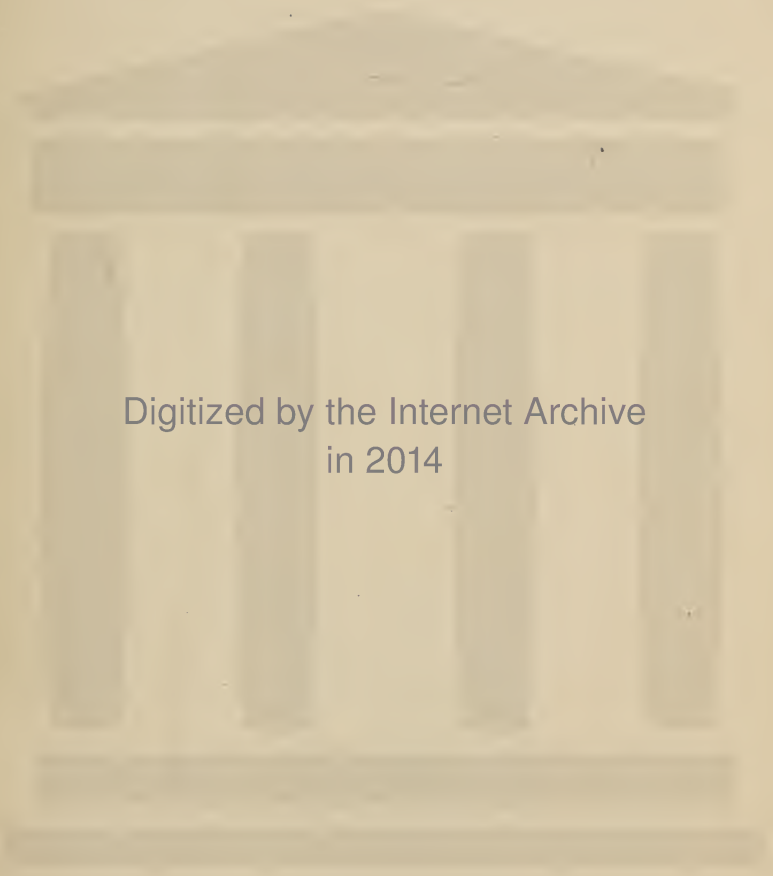
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STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD IN THE

Twenty-First Year of the Reign of His Majesty KING GEORGE V

Being the Second Session of the Eighteenth
Legislature of Ontario

1931

BEGUN AND HOLDEN AT TORONTO ON THE TWELFTH DAY OF FEBRUARY
IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED
AND THIRY-ONE

ONTARIO

25-5-005
31
23. 5.

HIS HONOUR WILLIAM DONALD ROSS
LIEUTENANT-GOVERNOR

TORONTO
Printed and Published by Herbert H. Ball, Printer to the King's Most Excellent Majesty
1931

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ONTARIO

21 GEORGE V

CHAPTER 1.

An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending on the 31st day of October, 1931, and for the Public Service of the financial year ending the 31st day of October, 1932.

Assented to April 2nd, 1931.

MOST GRACIOUS SOVEREIGN:

Preamble. WHEREAS it appears by message from His Honour William Donald Ross, Esquire, Lieutenant-Governor of the Province of Ontario, and the estimates accompanying the same, that the sums hereinafter mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the financial year ending the 31st day of October, 1931, and for the financial year ending the 31st day of October, 1932, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

$10,977,417.10 granted for year ending 31st October, 1931.

1. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Ten million nine hundred and seventy-seven thousand four hundred and seventeen dollars and ten cents towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1930, to the 31st day of October, 1931, as set forth in schedule "A" to this Act.

$44,764,359.00 granted for fiscal year 1931-32.

2. From and out of the Consolidated Revenue Fund of this Province, there may be paid and applied a sum not exceeding in the whole Forty-four million seven hundred and sixty-four thousand three hundred and fifty-nine dollars towards defraying the several charges and expenses of the public service of this Province, not otherwise provided for, from the 1st day of November, 1931, to the 31st day of October, 1932, as set forth in schedule "B" to this Act.

3.

Accounts to be laid before Assembly.

3. Accounts in detail of all moneys received on account of this Province during the said financial year 1930-1931, and of all expenditures under schedule "A" of this Act, shall be laid before the Legislative Assembly at its first sitting after the completion of the said period; and accounts in detail of all moneys received on account of this Province during the financial year 1931-32 and of all expenditures under schedule "B" of this Act shall be laid before the Legislative Assembly at the first sitting after the completion of the said financial year.

Appropriations for 1930-31 unexpended to lapse.

4. Any part of the money under schedule "A" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1931, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or at such subsequent date as may be fixed by the Lieutenant-Governor in Council under the provisions of *The Audit Act* shall lapse and be written off.

Appropriations for 1931-32 unexpended to lapse.

5. Any part of the money under schedule "B" appropriated by this Act out of the Consolidated Revenue, which may be unexpended on the 31st day of October, 1932, shall not be expended thereafter, except in the payment of accounts and expenses incurred on or prior to the said day; and all balances remaining unexpended after the said date or after a date fixed by the Lieutenant-Governor in Council as mentioned in section 4 shall lapse and be written off.

Accounting for expenditure.

6. The due application of all moneys expended under this Act out of the Consolidated Revenue shall be accounted for to His Majesty.

Commencement of Act.

7. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE "A"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-one, to defray expenses of:

Prime Minister's Department	$930,000.00
Legislation	6,500.00
Attorney-General's Department	178,150.15
Insurance Department	5,300.00
Education Department	2,439,337.00

Lands and Forests Department	$366,240.00
Mines Department	279,615.00
Game and Fisheries Department	129,850.00
Public Works Department	2,496,961.77
Highways Department	116,350.00
Health Department	763,375.00
Labour Department	18,440.63
Public Welfare Department	2,724,800.00
Provincial Treasurer's Department	31,425.00
Provincial Auditor's Office	6,500.00
Provincial Secretary's Department	153,179.75
Agriculture Department	303,177.80
Miscellaneous	28,215.00
Total estimates for expenditure of 1930-1931	$10,977,417.10

SCHEDULE "B"

Sums granted to His Majesty by this Act for the financial year ending on the thirty-first day of October, one thousand nine hundred and thirty-two, to defray expenses of:

Lieutenant-Governor's Office	$6,450.00
Prime Minister's Department	10,738,525.00
Legislation	356,925.00
Attorney-General's Department	2,473,805.00
Insurance Department	67,500.00
Education Department	8,291,909.00
Lands and Forests Department	2,762,015.00
Northern Development Department	641,950.00
Mines Department	443,725.00
Game and Fisheries Department	658,775.00
Public Works Department	1,057,335.00
Highways Department	634,225.00
Health Department	7,069,725.00
Labour Department	433,175.00
Public Welfare Department	3,540,375.00
Provincial Treasurer's Department	592,425.00
Provincial Auditor's Office	109,725.00
Provincial Secretary's Department	1,388,480.00
Agriculture Department	2,946,315.00
Miscellaneous	551,000.00
Total estimates for expenditure of 1931-1932	$44,764,359.00

CHAPTER 2.

An Act for raising money on the credit of the Consolidated Revenue Fund.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Loan Act, 1931.*

Loan of $40,000,000 authorized.

2. The Lieutenant-Governor in Council is hereby authorized to raise by way of loan a sum of money not exceeding forty million dollars ($40,000,000), for all or any of the purposes following, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for the covering of any debt of Ontario on open account, for paying any floating indebtedness of Ontario and for the carrying on of the public works authorized by the Legislature.

Terms to be fixed by Lieutenant-Governor.

3. The aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.

Sinking Fund.

4. The Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 2 of section 3 of *The Provincial Loans Act.*

Rev. Stat., c. 23.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 3.

An Act to appropriate $5,000,000 for Northern Development Purposes.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Northern Ontario Appropriation Act, 1931.* Short title.

2. In addition to the amounts provided by the Northern Ontario Appropriation Acts, heretofore enacted, there shall be set apart out of the Consolidated Revenue Fund the sum of $5,000,000 and the same shall be applied for the purposes set out in *The Northern Development Act* and in *The Returned Soldiers' and Sailors' Land Settlement Acts*, or any of them. Additional appropriation of $5,000,000. Rev. Stat. c. 36; 1917 c. 13; 1919 c. 15.

3. The Lieutenant-Governor in Council may place to the credit of the said funds such additional sum as may be required to meet payments, which may be authorized to be met out of the said fund and for the purposes set out in the said Acts or any of them. When additional sums required.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 4.

An Act respecting Unemployment Relief.

Assented to April 2nd, 1931.

Preamble.

WHEREAS under and by virtue of an agreement entered into the 2nd day of October, A.D. 1930, between the Honourable Gideon D. Robertson, Minister of Labour, acting on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, acting on behalf of the Province of Ontario, certain measures were adopted for the relief of unemployment conditions in Ontario; and whereas it is expedient that legislative sanction be given to the said measures;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Unemployment Relief Act (Ontario), 1931.*

Agreement between Dominion and Province validated.

2. The agreement set out in schedule "A" made between the Honourable Gideon D. Robertson, Minister of Labour, on behalf of the Government of Canada, and the Honourable George S. Henry, acting Premier of the Province of Ontario, on behalf of the Government of Ontario, is declared to be and to have been since the 2nd day of October, A.D. 1930, valid and binding and the Government of Ontario shall be deemed to have been since the said date authorized to do all things, make all appropriations and enter into all agreements authorized and required to carry out the said agreement of the 2nd day of October, 1930.

Order-in-Council confirmed.

3. The Order-in-Council approved by the Lieutenant-Governor and dated the 14th day of October, A.D. 1930, a copy of which is set out in schedule "B" to this Act, is confirmed and shall be deemed to be and to have been since the 14th day of October, A.D. 1930, valid and binding.

Agreements with municipalities confirmed.

4.—(1) Every agreement heretofore or hereafter entered into between the Government of Ontario, represented by the

Minister

Minister of Public Works and Labour, and any municipal corporation in the form or to the effect set out in schedule "C," shall be deemed to be and to have been from the date thereof legal, valid and binding to all intents and purposes.

Issue of debentures without assent of electors.

(2) Where a municipal corporation has heretofore entered into or shall hereafter enter into any such agreement with the Government of Ontario the corporation may issue debentures to defray the cost of any work undertaken in pursuance of the agreement, and it shall not be necessary to obtain the assent of the electors to the by-law for the issue of such debentures nor to observe the other formalities with respect to any such by-law prescribed by *The Municipal Act*, but no such by-law shall be finally passed by the municipal council until the form of the by-law, the amount and term of the debentures and the work for which the same are to be issued have been approved by order of the Ontario Railway and Municipal Board and after such approval the debentures shall be deemed to be legal, valid and binding upon the municipal corporation and the ratepayers thereof.

Rev. Stat., c. 233.

Local improvement works.

(3) An agreement entered into under this section may include works constructed or to be constructed as local improvements.

Provisional county of Haliburton, —application of section 4 to.

(4) This section shall apply to the provisional county of Haliburton and the council of the said provisional county shall have power to issue debentures to the amount provided for in any agreement heretofore or hereafter entered into between the Minister of Public Works and Labour and the corporation of the said provisional county.

Appropriation for relief of unemployment.

5. For the purpose of carrying out the obligations set out in the said agreement of the 2nd day of October, A.D. 1930, there shall be set aside out of the Consolidated Revenue Fund such sums from time to time as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of $4,000,000, for relief works for the purpose of providing employment, and there shall be set aside out of the Consolidated Revenue Fund from time to time such sums as the Lieutenant-Governor in Council may direct, but not exceeding in the whole the sum of $500,000, for the purpose of providing direct relief.

Direct relief.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE "A"

INDENTURE OF AGREEMENT entered into this 2nd day of October, A.D. 1930.

BETWEEN:

HONOURABLE GIDEON D. ROBERTSON, Minister of Labour on behalf of the Government of Canada, hereinafter called the "Dominion,"

of the first part,

—and—

HONOURABLE GEORGE S. HENRY, Acting Premier of the Province of Ontario, on behalf of the Government of the said Province, hereinafter called the "Province,"

of the second part.

Whereas the *Unemployment Relief Act, 1930*, being Chapter 1 of the Statutes of 1930 (Second Session) provides for an appropriation not exceeding the sum of Twenty Million dollars to be paid for the relief of unemployment out of the Consolidated Revenue Fund of Canada under such terms and conditions as may be approved by the Governor in Council;

And whereas by Order of the Governor in Council (P.C. 2246) made on the 26th of September, 1930, certain Regulations were made by which the Minister of Labour is authorized to enter into an agreement with the Government of any province to pay out of the moneys appropriated by the said Act certain sums for unemployment relief in accordance with the terms and conditions set forth in the said Regulations;

And whereas the Honourable George S. Henry on behalf of the Government of Ontario has intimated that the said Provincial Government is willing to enter into this agreement;

Now therefore it is agreed by and between the parties hereto that there may be paid out of the twenty million dollars appropriated by the said *Unemployment Relief Act* such sums as may be necessary to relieve unemployment in the Province of Ontario in accordance with the terms and conditions hereinafter set forth.

1. There shall be paid by the Dominion to the Province for distribution to the municipalities concerned one-third of the amount expended by such municipalities for direct relief where suitable work cannot be provided for the unemployed; there shall be paid by the Province out of the provincial funds for direct relief an amount equal to that contributed by the Dominion, and there shall be paid to the Province one-half of the amount expended by the said Province for direct relief in unorganized districts.

Such contributions by the Dominion and Province towards direct relief are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

2. The Dominion shall pay to the Province for any municipality twenty-five per cent. of the cost of approved public works and undertakings necessary to supply suitable work for the unemployed in such municipality; the Province shall pay twenty-five per cent. of such cost and the remaining fifty per cent. of the said cost shall be assumed and borne by the municipality.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists in such municipality.

3. The Dominion may pay to the Province one-half of the cost of such public works and undertakings which may be carried on by the Province to provide suitable work for the unemployed, provided that should any of such public works and undertakings include the construction of highways in the counties of Ontario other than the Trans-Canada Highway, the proportion payable by the Dominion shall not exceed forty per cent. of such cost.

Such contributions by the Dominion and Province towards the cost of public works and undertakings in any municipality are to be made only after the submission of the said municipality of evidence satisfactory to the Minister of Labour that a serious unemployment situation exists.

4. The Dominion may pay to the Province one-half of any amount expended by the Province on the Trans-Canada Highway, and the location of the highway shall be subject to the approval of the Dominion.

5. The amount to be paid out of the moneys appropriated under the *Unemployment Relief Act* to carry on any public works and undertakings in the Province of Ontario, either by the Province or by municipalities within the Province, shall not exceed $3,850,000.

6. The Province agrees to submit to the Dominion for approval a memorandum setting forth the public works and undertakings proposed to be carried on by the Province and municipalities as set forth in paragraphs 2, 3, and 4.

7. All public works and undertakings to which contributions may be made under the provisions of paragraphs 2, 3, and 4 of this memorandum are to be carried on continuously from the date of their commencement to the date of their completion, which latter date shall not be later than the first day of June, 1931.

8. This agreement is subject to the condition that fair wages will be paid and hours of work not exceeded on all public works in accordance with the intent of the *Fair Wages and Eight-Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order in Council (P.C. 1206), dated 7th June, 1922, and amendments thereto, and that all persons employed on such public works or undertakings shall be, as far as possible, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

9. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this agreement shall be accompanied by a certificate of the appropriate provincial authority that expenditures have been duly made in accordance with such statements.

10. The Minister of Labour may at any time require the Province to furnish information, detailed or otherwise, in connection with statements of accounts rendered by the Province.

In witness whereof the parties hereto have affixed their signatures on the day and year first above written.

Signed in the presence of

C. Foster. G. D. Robertson,
Minister of Labour, Canada.

C. Foster. Geo. S. Henry,
Acting Premier of Ontario.

SCHEDULE

SCHEDULE "B"

ORDER-IN-COUNCIL approved by the Honourable the Lieutenant-Governor, dated the 14th day of October, A.D. 1930.

Upon the recommendation of the Honourable Geo. S. Henry, Acting Prime Minister, the Committee of Council advise that Your Honour may be pleased to approve the following recommendations for the administration of the Unemployment Relief Fund:—

1. Except where the context otherwise requires in this Order-in-Council the expression "Minister" means the Minister of Public Works and Labour.

2. There shall be reserved and paid out of the moneys appropriated by Special Warrant dated 14th October, 1930, one-third of the expenditure of municipalities for direct relief where suitable work cannot be provided for the unemployed in addition to one-third to be paid by the Dominion Government and one-half of direct relief in unorganized districts, in addition to one-half to be paid by the Dominion Government.

3. The Minister may enter into an agreement with any municipality for the payment by the Ontario Government of one-third of the said municipal expenditures for direct relief, in addition to one-third to be paid by the Dominion Government.

4. The Minister may enter into an agreement with any municipality for the payment to such municipality by the Government of Ontario of twenty-five per centum of the cost of such public works and undertakings as may be necessary to provide suitable work for the unemployed in addition to twenty-five per centum of the said cost to be paid by the Dominion Government, and that fifty per centum of the said cost shall be assumed and borne by the municipality.

5. The Minister may enter into an agreement with the Government of Canada for the carrying on by the Ontario Government of public works, improvements and other undertakings that will assist in providing suitable work for the unemployed, the cost of such public works and improvements to be borne by the Ontario and Dominion Governments in such proportions as may be agreed upon.

6. All agreements made with municipal authorities involving the expenditure of any portion of the moneys appropriated by the Act for public works or undertakings shall contain provisions for the payment of fair wages and hours of work in accordance with the intent of the *Fair Wages and Eight Hour Day Act, 1930*, and the Fair Wages Policy of the Government of Canada as set forth in Order-in-Council (P.C. 1206) dated 7th June, 1922, and amendments thereto. Agreements involving the expenditure of any portion of the said moneys for public works or undertakings shall contain a provision to the effect that all persons employed on such public works or undertakings shall be, as far as practicable, residents of the locality in which the work is being performed, and that in no case shall discrimination be made in the employment of any persons by reason of political affiliation.

7. Statements of accounts for expenditures by municipalities for direct relief or for public works and undertakings made under the provisions of this Order-in-Council shall be rendered monthly in duplicate accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

8. The Minister may at any time require the municipality to furnish information, detailed or otherwise, in connection with statements of account rendered by the municipality.

9. The administration of this Order-in-Council shall be vested in the Minister of Highways, the Minister of Public Works and Labour, the Minister of Lands and Forests, the Minister of Agriculture, and the

Minister

Minister of Mines, and they shall be an advisory committee on expenditures to be made under this Order-in-Council.

10. Mr. J. A. Ellis is hereby appointed Secretary of such advisory committee.

11. All payments hereby authorized shall be made on the certificate of the Secretary of such advisory committee countersigned by the Minister of Public Works and Labour.

SCHEDULE "C"

AGREEMENT made the day of 193

BETWEEN:

THE LIEUTENANT-GOVERNOR IN COUNCIL OF THE PROVINCE OF ONTARIO, represented by the Minister of Public Works and Labour, hereinafter called "the Province,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE hereinafter called "the Corporation,"

of the second part.

Whereas the Dominion of Canada and the Province have entered into an agreement to jointly provide certain funds for unemployment relief.

And whereas the Minister of Public Works and Labour has, by Order in Council approved by the Honourable the Lieutenant-Governor on the 14th day of October, 1930, been authorized to enter into an agreement with any Municipality for the payment to such Municipality by the Province, of certain monies to assist in unemployment relief.

Now this agreement witnesseth:

1. The Province will pay to the Corporation one-third of the expenditures of the Corporation for excess direct relief, in addition to one-third to be paid by the Dominion Government, commencing on 1st October, 1930, and terminating on 31st March, 1931. Such excess relief will be ascertained each month by deducting from the amounts expended each month the amounts expended for the same purpose in the corresponding month in the previous year.

2. The Province will also pay to the Corporation twenty-five per cent. of the cost of the public works and undertakings hereinafter set out, such works and undertakings being necessary to provide suitable work for the unemployed, in addition to twenty-five per cent. of the said cost to be paid by the Dominion Government. Fifty per cent. of the said cost is to be assumed and borne by the Corporation. Such public works and undertakings are as follows:

3. Statements of account for expenditures by the Corporation under the provisions of this agreement for direct relief, or for public works and undertakings, shall be rendered monthly in duplicate, accompanied by a certificate of the appropriate municipal authority that expenditures have been duly made in accordance with such statements.

4. The Corporation shall at any time furnish information, detailed or otherwise, required by the Province in connection with statements of account rendered by the Corporation.

5. (*a*) All mechanics, labourers, or other persons who perform labour in connection with the work contemplated by this agreement shall be paid such wages as are generally accepted as current from time to time

during

during the continuance of the work for competent workmen in the district in which the work is being performed for the character or class of work in which they are respectively engaged, provided that wages shall in all cases be such as are fair and reasonable and shall work such hours as are customary in the trade in the district where the work is carried on, provided that such working hours shall not exceed eight hours per day, unless for the protection of life and property, or for other cause shown to the satisfaction of the Minister of Labour for the Dominion of Canada longer hours of service are required. The said Minister of Labour may at any time and from time to time determine for the purposes of this agreement, what are the current or fair and reasonable rates of wages, and may from time to time, rescind, revoke, amend or vary any such decision.

(*b*) With a view to the avoidance of any abuses which might arise from the subletting of contracts it shall be understood that subletting, other than such as may be customary in the trades concerned, is prohibited unless the approval of the Minister of Labour for the Dominion is obtained; subcontractors shall be bound in all cases to conform to these labour conditions, and the corporation shall be held responsible for strict adherence to the said labour conditions on the part of all contractors and subcontractors.

(*c*) All workmen employed upon the work comprehended in and to be executed pursuant to this agreement shall be residents of Canada, and as far as practicable of the locality in which the work is being performed, and in no case shall discrimination be made in the employment of any persons by reason of their political affiliation.

6. No payment will be made by the Province in respect of expenditures made by the corporation after 31st March, 1931, for direct relief or on account of the public works and undertakings hereinbefore set out.

7. No payment will be made by the Province in respect of any excess cost of any public works or undertakings over and above the amounts set out in this agreement.

In witness whereof the Minister of Public Works and Labour for Ontario has hereunto set his hand and seal, and the head and clerk of the corporation have hereunto set their hands and fixed the seal of the corporation, the day and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of

Minister of Public Works and Labour for Ontario.

The Corporation of the

of

by

Mayor.

Clerk.

CHAPTER 5.

An Act respecting the Department of Public Welfare.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Department of Public Welfare Act, 1931.* Short title.

2. In this Act,— Interpretation.

(*a*) "Department" shall mean the Department of Public Welfare. "Department."

(*b*) "Minister" shall mean the member of the Executive Council for the time being in charge of the Department. "Minister."

3. There shall be a department of the public service of Ontario to be known as "The Department of Public Welfare" over which the Minister shall preside and have charge. Creation of Department of Public Welfare.

4. The Department shall administer such Acts, and regulations made thereunder, as may be provided therein or as may from time to time be designated by the Lieutenant-Governor in Council. Jurisdiction of Department.

5. The Department may,— Powers of Department.

(*a*) institute enquiry into and collect information and statistics relating to all matters of public welfare;

(*b*) disseminate information in such manner and form as may be found best adapted to promote public welfare;

(*c*) secure the observance and execution of the provisions of all Acts and regulations dealing with matters of public welfare;

(*d*)

(*d*) investigate, inspect and report upon all activities, agencies, organizations, associations or institutions having for their object the social welfare or care of men, women and children in Ontario and which are not under the control of any other department of the public service of Ontario;

(*e*) recommend to the Lieutenant-Governor in Council regulations respecting welfare institutions, organizations, or agencies and governing the soliciting of alms, food, clothing, moneys and contributions of any kind for charitable or benevolent purposes in Ontario.

Annual report.

6. The Department shall submit to the Lieutenant-Governor in Council an annual report upon the affairs and work of the Department as he may require, and such report shall be laid before the Assembly within twenty-one days after the commencement of the next Session.

Control over charitable institutions.

7. The Lieutenant-Governor in Council upon the recommendation of the Minister may from time to time declare any charitable institution or class or classes of charitable institutions to be subject to the control of the Minister and may with respect thereto make regulations relating to any such charitable institution or institutions and their affairs and particularly in respect to the procuring of funds from the public and as to their application.

Appointment of inspectors.

8. The Lieutenant-Governor in Council may upon the recommendation of the Minister appoint any officer of the Department as an inspector for the purposes of any Act administered by the Department, where provision is not made in such Act for the appointment of an inspector, and an inspector so appointed shall have such powers and perform such duties as may from time to time be prescribed by the Lieutenant-Governor in Council.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 6.

An Act to amend The Public Service Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Service Act, 1931.* Short title.

2. Subsection 1 of section 6 of *The Public Service Act* is amended by adding thereto the following clause: Rev. Stat. c. 16, s. 6, amended.

(*f*) For the fixing of leave of absence on account of illness or other cause. Leave of absence.

3. Subsection 1 of section 9 of *The Public Service Act* is repealed and the following substituted therefor: Rev. Stat. c. 16, s. 9, subs. 1, repealed.

(1) The Lieutenant-Governor in Council may designate the official who shall be the deputy head in any Department of the Government, and fix his duties and powers. Deputy heads.

4. Subsections 3, 4, and 5 of section 9 of *The Public Service Act* are repealed. Rev. Stat. c. 16, s. 9, subss. 3, 4, 5, repealed.

5. Section 16 of *The Public Service Act* is repealed. Rev. Stat. c. 16, s. 16, repealed.

6. Section 17 of *The Public Service Act* is repealed. Rev. Stat. c. 16, s. 17, repealed.

7. Section 28 of *The Public Service Act* is amended by striking out all the words after the word "offices" in the second line, and by adding thereto the following words "in the public service," so that the section shall now read as follows: Rev. Stat. c. 16, s. 28, amended.

28. This Part shall apply to all departments, branches, and offices in the public service. Application of Part.

8. Section 30 of *The Public Service Act* is amended by adding thereto the following subsections: Rev. Stat. c. 16, s. 30, amended.

Treasurer to be custodian of Fund.

(2) The Treasurer of Ontario shall be the custodian of the Fund.

Investment of Fund.

(3) The Fund, less such amount or amounts as shall be necessary to meet the current expenditures, shall by resolution of the Board be invested by the Treasurer of Ontario in bonds of the Province of Ontario or other securities guaranteed by the Province of Ontario, and such securities shall be set apart and ear-marked for the Fund.

Records.

(4) Records shall be kept by the Department of the Provincial Treasurer showing a separate account for each contributor to the Fund and for each beneficiary.

Audit.

(5) The Fund and the accounts of the Fund shall be audited and the securities examined and checked by the Provincial Auditor or by such other auditor or auditors and at such times as the Lieutenant-Governor in Council shall direct, and such auditor or auditors shall make an annual report and prepare and furnish such other statements to the Treasurer of Ontario and to the Board as may be requested from time to time.

Rev. Stat. c. 16, s. 36, amended.

9. Section 36 of *The Public Service Act* is amended by adding thereto the following subsections:

Return of contributions where employee dismissed.

(2) Where an employee is dismissed from the public service his contributions to the Fund may be returned to him, but where such employee is indebted to the Government payment of the amount owing shall be deducted from any refund to which he may be entitled.

Refund owing to change in percentage of deduction.

(3) Where, owing to change in percentage of deduction, an employee has contributed more than the proper assessment to the Fund, or where other adjustment is necessary, the Board shall have power to make the proper refund.

Rev. Stat. c. 16, s. 44, subs. 1, amended.

10.—(1) Subsection 1 of section 44 of *The Public Service Act* is amended by striking out the words "except as provided in subsection 3 of this section and" at the commencement, and the words "and the adoption by the Lieutenant-Governor in Council of the report of the Board fixing his superannuation or retiring allowance" in the seventh, eighth and ninth lines, so that the subsection shall now read as follows:

(1) Subject to the provisions of sections 54 and 55, and notwithstanding anything contained in any Act relating to any department, branch or office in the public service or in any other Act of this Legislature, every employee, no matter by what tenure he holds office, shall cease to hold office upon attaining the age of seventy years. Compulsory retirement at seventy years of age.

(2) Subsection 3 of the said section 44 is repealed. Rev. Stat. c. 16, s. 44, subs. 3, repealed.

11. Section 46 of *The Public Service Act* is repealed. Rev. Stat. c. 16, s. 46, repealed.

12. *The Public Service Act* is amended by adding thereto the following section: Rev. Stat. c. 16, amended.

64. Nothing in this Act shall prevent a superannuate who has been retired on account of having attained the age of seventy years and who possesses expert, technical or professional knowledge which the Government desires to have at its disposal, from being retained temporarily, upon approval by the Lieutenant-Governor in Council, at a salary not greater than that received immediately prior to retirement, but such person shall cease to be an employee within the meaning of this Act and to be a contributor to the Fund and his retiring allowance shall be deducted from the remuneration paid to him during such temporary employment. Temporary employment after attaining age limit.

13. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

CHAPTER

CHAPTER 7.

An Act to amend The Succession Duty Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Succession Duty Amendment Act, 1931.*

Rev. Stat., c. 26, s. 1, cl. *a*, amended.

2. The clause lettered *a* of section 1 of *The Succession Duty Act* is amended by inserting after the word "Ontario" in the seventh line thereof the words "and the value of Ontario bonds issued under any statute of the Province of Ontario exempting them from duty."

Rev. Stat., c. 26, s. 2, repealed.

3. Section 2 of *The Succession Duty Act* is repealed and the following substituted therefor:

Declaration as to application of Act.

2. This Act shall be deemed to be and to declare the law relating to succession duty since the 1st day of July, 1892, save as to the rate of duty, the liability for duty of any property transferred *inter vivos*, any action or reference heretofore determined in any court or as to any estate upon which the duty has been fully paid and satisfied.

Rev. Stat., c. 26, s. 3, amended.

4. Section 3 of *The Succession Duty Act* is amended by inserting after the word "person" in the fifth line thereof the words "at the time of his death."

Rev. Stat., c. 26, cls. *c*, *d*, *e*, repealed.

5. The clauses lettered *c*, *d*, and *e*, of section 6 of *The Succession Duty Act* are repealed and the following substituted therefor:

Exemption from succession duty.

(*c*) Where the whole value of any property passing to any one person does not exceed $500;

(*d*) Where the property passing to any one person consists wholly of an annuity, of not more than $100 per

annum,

annum, or of an estate or interest for life or for a term in any property, the yearly income from which does not exceed $100;

(*e*) On property given, devised or bequeathed to a religious, charitable or educational organization for religious, charitable or educational purposes to be carried out in Ontario.

Rev. Stat., c. 26, s. 8, subs. 2, cl. *c*, amended.

6.—(1) The clause lettered *c* of subsection 2 of section 8 of *The Succession Duty Act* is repealed, and the following substituted therefor:

Property held by joint tenants subject to duty.

(*c*) Any property, real or personal, held in the joint names of the deceased and one or more persons, or deposited in banks or other institutions or money in excess of $5,000 at date of death, deposited in the joint names of the deceased and one or more persons, and payable to either or the survivor, except the portion thereof which is shown to the satisfaction of the Treasurer to have been contributed by the survivor.

Rev. Stat., c. 26, s. 8, subs. 2. cl. *d*, amended.

(2) The clause lettered *d* in subsection 2 of said section 8 is amended by adding thereto the words "or where the property so passing or some part thereof, or some fund therein, or any property, fund or assets resulting from the conversion of any such property or fund, is held for any benefit of the settlor, whether or not there is such reservation or any reservation whatsoever to the settlor.

Property passing under settlement, etc.

Rev. Stat., c. 26, s. 8, subs. 2, cl. *f*, repealed.

(3) The clause lettered *f* in subsection 2 of said section 8 is repealed and the following substituted therefor:

Policies of insurance.

(*f*) Money received under a policy of insurance whether such insurance is payable to or in favour of a preferred beneficiary within the meaning of *The Insurance Act*, or not, effected by any person on his life, where the policy is wholly kept up by him for the benefit of any existing or future donee, whether nominee or assignee, or for any person who may become a donee, or a part of such money in proportion to the premiums paid by him, where the policy is partially kept up by him for such benefit.

Insurance to provide duty.

(*ff*) The premiums paid on that portion of a policy of insurance applied to the payment of duty where such policy of insurance is made payable to the estate of the deceased in trust for the Treasurer for the purpose of providing money necessary to pay the duty on the estate of the deceased, whether

originally

originally issued or subsequently endorsed for such purpose, but notwithstanding anything herein contained, moneys received by the Treasurer on such last-mentioned policy and applied by him in full of or on account of the Ontario Duty shall not be deemed to be property passing on the death of the deceased and duty shall not be payable thereon.

Rev. Stat., c. 26, s. 9, subs. 6, amended.

7. Subsection 6 of section 9 of *The Succession Duty Act* is amended by adding thereto the following proviso:

Provided that when the amount passing to any one of the persons mentioned in this subsection does not exceed $1,000, no duty shall be paid on the amount so passing in the event of such person having been in the employ of the deceased for at least five years prior to his death.

Rev. Stat., c. 26, s. 11, repealed.

8. Section 11 of *The Succession Duty Act* as amended by section 3 of *The Succession Duty Act, 1928*, and section 2, of *The Succession Duty Act, 1929*, is repealed and the following substituted therefor:

Consent to transfer required.

11.—(1) Unless the consent thereto, in writing of the Treasurer is obtained, no bank, trust company, insurance company or other corporation having its head office, principal place of business, office from which payments of claims are made, register of shareholders or any place of transfer in Ontario, shall,—

(*a*) Deliver, transfer or assign or permit any delivery, transfer or assignment of any property, whatsoever, belonging to a deceased person, which may be liable to duty in Ontario, including any deposit, bond, debenture stock, stock or share (or insurance money in excess of $1,000) with, in, issued by or payable by any bank, trust company, insurance company or other corporation and standing in the name of a deceased person (whether such deceased person died domiciled in Ontario or elsewhere) or held in trust for him or in the names of a deceased person and any other person; or

(*b*) Permit the opening of any safety deposit box in Ontario, the removal thereof from Ontario or the withdrawal from such box of any negotiable instrument, certificates representing indebtedness under bond or otherwise or representing any holdings of stock, muniment

of

of title, insurance policy or any other property belonging to a deceased person.

Opening of safety deposit boxes, etc.

(2) Notice in writing of the intention to open any safety deposit box or other repository as is mentioned in subsection 1 of this section or to withdraw therefrom according to the meaning of said subsection, shall be served on the Treasurer or his representative at least ten days, or other period to which the Treasurer may agree, before such opening or withdrawal is intended to take place and the Treasurer or his representative may attend at the time and place of such opening or withdrawal and there give a consent in writing to the same as provided herein and he may examine the contents thereof or the Treasurer or his representative may give such consent without attending and examining as herein provided but the consent provided for in this subsection shall apply only to the Acts mentioned in paragraph *b* of subsection 1 of this section.

Payment of insurance policies.

(3) Unless the consent, in writing, of the Treasurer is obtained, no insurance company shall make any payment of money in excess of $1,000 due under a policy of insurance, which may be subject to duty in Ontario, and where payment not exceeding $1,000 has been made, notice shall be transmitted to the Treasurer forthwith.

Penalties.

(4) Any bank, trust company, insurance company or other corporation mentioned in this section, failing to comply with same, shall incur a penalty not exceeding the amount of the duty payable to the Province, in respect of any property dealt with in contravention of this section and shall, in addition, incur a penalty of $1,000, but such penalty shall not apply when the Treasurer is satisfied that the contravention was not wilful and occurred through ignorance of the death.

Rev. Stat., c. 26, s. 12, subss. 3 and 4 amended.

9.—(1) Subsection 3 of section 12 of *The Succession Duty Act* is amended by striking out all the words after the word "made" in the sixth line.

(2) Subsection 4 of said section 12 is amended by striking out the words "in lieu of or in addition to any other security" in the second and third lines thereof.

Rev. Stat., c. 26, s. 13, subs. 7, amended.

10.—(1) Subsection 7 of section 13 of *The Succession Duty Act* is amended by inserting after the word "situated" in

the

the eleventh line thereof the words "the Controller of Revenue or his representative, or the solicitor under *The Succession Duty Act*."

Rev. Stat., c. 26, s. 13, amended.

(2) The said section 13 of *The Succession Duty Act* is further amended by adding thereto the following subsection:

Appraisement final after sixty days.

(8) After the filing of the inventory as provided for in section 12, the Treasurer may mail to the executors or to their solicitors notice of appraisement showing the total appraised value of the property disclosed by the inventory, and sixty days after the mailing of such notice, such appraised value shall become final and binding upon the executors for all purposes of this Act, unless within sixty days after the mailing thereof a notice in writing that the executors object to such appraisement or to some portion thereof shall be received by the Treasurer.

Rev. Stat., c. 26, s. 16, subs. 3. repealed.

11. Subsection 3 of section 16 of *The Succession Duty Act* is repealed and the following substituted therefor:

(3) The duty on property, passing upon the death, in respect to which any person is given such a general power to appoint as would, if he were *sui juris*, enable him to dispose of the property as he thinks fit, whether the power is exercisable by instrument *inter vivos* or by will or both, shall be paid in the same manner and at the same time as if the property itself had been given to the donee of the power.

Rev. Stat., c. 26, s. 17, subs. 3 repealed.

12. Subsection 3 of section 17 of *The Succession Duty Act* as amended by section 7 of *The Succession Duty Act, 1928*, is repealed and the following substituted therefor:

Payment within three months when interest in expectancy falls into possession.

(3) The duty on any interest in expectancy, if not sooner paid, shall be due forthwith when such interest comes into possession and payable within three months thereafter, in which case the duty shall be on the value ascertained as provided herein as at the date of coming into possession, and no deduction shall be made by reason of duty paid or payable on any prior estate, income or interest, and if such duty is not so paid, interest at the rate of six per centum per annum shall be charged and collected thereon from the date when such interest in expectancy came into possession.

Rev. Stat., c. 26, s. 18, repealed.

13. Section 18 of *The Succession Duty Act* as amended by section 9 of *The Succession Duty Act, 1928*, is repealed and the following substituted therefor:

Extension of time for payment of duty.

18. Upon the application of any person liable for the payment of duty the surrogate judge, or the Controller of Revenue, may from time to time on notice to the Treasurer and for just cause shown, make upon such terms as either may deem proper, an order extending the time fixed by this Act for payment thereof for any period in the aggregate, not exceeding one year or with the consent of the Treasurer, for a longer period, but, unless the judge or Controller otherwise order, the duty shall nevertheless bear interest at the rate of six per centum per annum from the day upon which such duty might have been paid without interest.

Rev. Stat., c. 26, amended.

14. *The Succession Duty Act* is amended by adding thereto the following section:

Distribution of bonds, debentures or inscribed stock exempt from duty.

26.—(1) Where part of the property passing on the death of deceased, consists of bonds, debentures or inscribed stock issued under the provisions of any statute of the Province of Ontario exempting them from duty and such bonds, debentures or inscribed stock are not specifically bequeathed by the testator or disposed of by gift by him in his lifetime, then for the purposes of this Act, such bonds, debentures or inscribed stock shall be distributed among the beneficiaries in the same proportion as the whole of the personalty is distributed among them according to the provisions of the will of such deceased person, or if such deceased person died intestate, then such bonds, debentures or inscribed stock shall be distributed in the same manner as the personal estate of an intestate is distributed, according to the law of the province, state or country wherein such deceased person was domiciled at the time of his death.

Charge to such bonds, etc.

(2) Unless a contrary intention appears by the will of such deceased person, then for the purposes of this Act, there shall be charged to such bonds, debentures or inscribed stock, the proper proportion of the debts allowed under section 4 of this Act.

CHAPTER

CHAPTER 8.

An Act to amend The Mining Tax Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mining Tax Act, 1931.*

Rev. Stat. c. 28, s. 19, subs. 1, amended.

2.—(1) Subsection 1 of section 19 of *The Mining Tax Act* is amended by adding thereto the following words:

"together with interest at the rate of ten per cent. per annum compounded yearly, and such costs of the application as may be allowed by the judge."

Rev. Stat. c. 28, s. 19, subs. 2. amended.

(2) Section 19 of *The Mining Tax Act* is amended by adding thereto the following subsection:

Vesting Order when deceased delinquent co-owner has no representative.

(4) In the event of letters of administration or letters probate not having issued by a surrogate court of the Province of Ontario to the estate of a deceased co-owner at the time of any application made pursuant to the provisions of this section, the Judge of the Mining Court may appoint the Public Trustee to represent the estate of such deceased co-owner, and notwithstanding the provisions of *The Devolution of Estates Act* or any other statute in that behalf, an order may be made by the Judge of the Mining Court vesting the interests of the delinquent co-owner or co-owners in the co-owner or co-owners who have paid such taxes, and the same shall be valid and binding upon all beneficiaries or other persons interested in such estate.

Rev. Stat. c. 148.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 9.

An Act to amend The Corporations Tax Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Corporations Tax Act, 1931.* Short title.

2.—(1) Subsection 14 of section 3 of *The Corporations Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 29, s. 3, subs. 14, repealed.

(14) Every company other than a railway company transacting business in Ontario by operating, leasing or hiring sleeping, parlour or dining cars run upon or used by any railway within Ontario shall pay a tax of one per centum upon the money invested in such cars so in use in Ontario. Tax on car companies.

(2) The said section 3 is further amended by adding thereto the following subsections: Rev. Stat., c. 29, s. 3, amended.

(23) Every incorporated company transacting business in Ontario shall pay a tax of one-tenth of one per centum upon the paid up capital thereof including its reserve (except a proper reserve for depreciation) and all sums advanced or loaned to the company by any other company for capital account, but the Treasurer may allow such reduction of taxes as he may deem just to any incorporated company coming under the provisions of this subsection and (*a*) having its head office outside the Province and doing business in the Province, or (*b*) having its head office in the Province but doing business out of the Province, or having the greater part of its corporate assets outside the Province, or (*c*) having its head office in the Province but doing only the business therein of holding the stock, Tax on capital of incorporated companies carrying on business in Ontario.

bonds

bonds and other securities of other incorporated companies.

Exceptions to subs. 23.

(23*a*) The provisions of subsection 23 shall not apply,—

(*a*) to any company which maintains a head or executive office in the Province of Ontario but whose business and assets are carried on and situate entirely outside the said Province;

(*b*) to any company which maintains a head or executive office in the Province of Ontario but whose assets consist substantially only of shares or obligations of other companies or corporations whose main or chief business and assets are situate entirely outside the said Province;

(*c*) to any company which carries on in the Province of Ontario as its main or chief business, investment and re-investment in shares, bonds and obligations of other incorporated companies or of any government, municipal or school corporation;

Rev. Stat., c. 28.

(*d*) to any mine, plant or works the profits of which are liable to taxation under *The Mining Tax Act;*

(*e*) to any milling, smelting, refining or reduction plant owned by the owner of the mine and used for the processing of such mine's ores unless and until such mine is assessed for a tax under *The Mining Tax Act;*

(*f*) to any capital *bona fide* held or used in the survey for, exploration of, and development of mines or minerals;

(*g*) to companies incorporated for the purpose of drainage, agriculture or colonization;

(*h*) to corporations paying taxes under subsections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14 or 15 of this section;

(*i*) to corporations paying tax under subsection 12 of this section upon their entire capital except as to any portion of capital not so taxed under the said subsection;

(*j*) so as to tax the same capital more than once under this Act;

(*k*) to companies that have ceased to do business;

(*l*) to companies incorporated solely for charitable purposes or to operate hospitals;

(*m*) to telephone companies having a paid-up capital of less than one hundred thousand dollars.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent and shall have effect as from the 1st day of January, 1931.

CHAPTER

CHAPTER 10.

An Act to amend The Mining Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Mining Act, 1931.*

Rev. Stat., c. 45, amended.

2. *The Mining Act* is amended by striking out the words "Forest Reserve" and "Crown Forest Reserve" wherever they occur in the said Act and inserting in lieu thereof the words "Provincial Forest."

Rev. Stat., c. 45, s. 36, cl. *b*, amended.

3. The clause lettered *b* in section 36 of *The Mining Act* is amended by adding after the word "lands" in the third line the words "where the same have been located, sold, patented or leased after the 6th day of May, 1913," so that the said clause shall now read as follows:

(*b*) Lands, the mines, minerals or mining rights whereof have been reserved by the Crown in the location, sale, patent or lease of such lands where the same have been located, sold, patented or leased after the 6th day of May, 1913.

Rev. Stat., c. 45, s. 39, amended.

4. Section 39 of *The Mining Act* as amended by section 4 of *The Mining Act, 1930*, is further amended by adding thereto the following clause:

(*f*) Where land is hereafter staked out and applied for as a mining claim but for use other than as mining land or the purposes of the mineral industry within the meaning of section 6 of this Act, the Lieutenant-Governor in Council may direct that the claim be cancelled, and on the filing of a copy of an Order-in-Council in that behalf with the recorder for the mining division in which the land is situate, the claim shall be cancelled and annulled.

5.

5. Sections 47, 48 and 49 of *The Mining Act* are repealed and the following substituted therefor: Rev. Stat., c. 45, ss. 47, 48 and 49, repealed.

47.—(1) Mining lands in a Provincial Forest shall not be sold or granted but a lease of the same may be made for a period not exceeding ten years at a rental payable in advance of $1 per acre for the first year and 25 cents per acre for each and every subsequent year, but the minimum rental shall be $10 for the first year and $4 for each subsequent year. Mining lands in Provincial Forest not to be sold.

(2) Every such lease shall be renewable in perpetuity for periods of not more than ten years at such rentals as may be provided and shall be subject to regulations made by the Lieutenant-Governor in Council. Lease to be renewable.

6. Section 50 of *The Mining Act* is repealed and the following substituted therefor: Rev. Stat., c. 45, s. 50, repealed.

50.—(1) Before beginning or carrying on any work prescribed by this Act on any mining claim, the holder thereof in addition to any other requirement shall obtain from the Provincial Forester or other authorized officer a written permit entitling him so to do as provided in *The Forest Fires Prevention Act, 1930*. Permit to be obtained from Provincial Forester before commencement of work. 1930, c. 60.

(2) If a mining claim is included in lands under timber license or for which a permit has been granted to cut timber, the holder of the claim shall compensate the timber licensee or person holding such permit for his interest in any timber cut or damaged thereon and any dispute between the holder of the mining claim and the timber licensee or person holding such permit in respect of the quantity or value of the timber so cut or damaged shall be disposed of by the Minister of Lands and Forests whose decision shall be final. Timber licensee to be compensated.

7. Section 51 of *The Mining Act* is repealed. Rev. Stat., c. 45, s. 51, repealed.

8. Section 56 of *The Mining Act* is amended by striking out the words Rev. Stat., c. 45, s. 56, amended.

"(*b*) more than three claims each for more than two other licensees;
being nine claims in all."

and inserting in lieu thereof the following:

"(*b*) more than six claims for other licensees, being a maximum of nine claims in all, provided that not more than three claims shall be staked out or applied for on behalf of any such other licensee."

Rev. Stat., c. 45, s. 64, subs. 4, amended.

9. Subsection 4 of section 64 of *The Mining Act* is amended by striking out all the words after the word "it" in the sixth line so that the subsection shall now read as follows:

Dispute not to be received after certificate issued.

(4) A dispute shall not be received or entered against any claim after a certificate of record thereof has been granted nor except by leave of the judge after the validity of the claim has been adjudicated upon by the recorder or by the judge, or after it has been on record for sixty days and has already had a dispute entered against it.

Rev. Stat., c. 45, s. 65, amended.

10. Section 65 of *The Mining Act* is amended by adding thereto the following subsection:

Claim in unsurveyed territory to be surveyed.

(3) A certificate of record shall not be issued in respect of a claim in unsurveyed territory until the same has been duly surveyed and the plans thereof filed as provided in section 105.

Rev. Stat., c. 45, s. 69, repealed.

11. Section 69 of *The Mining Act* is repealed and the following substituted therefor:

Free assays to be given licensee.

69. Every licensee who stakes out and records a mining claim shall be given by the recorder two free assay coupons on recording the same and two additional free assay coupons on recording each forty days work thereafter, and on forwarding or delivering, charges prepaid, samples from the mining claim to the Provincial Assayer, Toronto, together with the required number of coupons, he shall be entitled to have the same assayed without charge as follows: for one coupon, one assay for gold, silver, copper, lead or metallic iron; for two coupons, one assay for nickel, zinc, tin or tungsten; and for three coupons, one assay for cobalt.

Rev. Stat., c. 45, s. 70, amended.

12. Section 70 of *The Mining Act* is amended by striking out the words "belonging to him" in the fifth line so that the section shall now read as follows:

Where claim abandoned, cancelled or forfeited.

70. Where the recorded holder of a mining claim abandons the same or where the claim is cancelled or forfeited under this Act, he may take from the same any machinery, chattels or personal property and any ore or mineral he may have extracted therefrom within six months after such abandonment, cancellation or forfeiture, or within such further time as may be fixed by the judge. Any such machinery, property or ore remaining on the claim after the expiry of such time shall belong to His Majesty for the use of Ontario.

13. Section 81 of *The Mining Act* is amended by striking out the clauses lettered *b*, *c* and *d*, the clause lettered *e* as re-enacted by subsection 1 of section 2 of *The Mining Act, 1929*, and the words added by subsection 2 of section 2 of *The Mining Act, 1929*, and substituting therefor the following: Rev. Stat., c. 45, s. 81, amended.

Periods excluded in computing time for performance of working conditions.

(*b*) For the first instalment of work, between the 16th day of November and the 15th day of April, both days inclusive, but this shall not have the effect of extending the time for the performance of any subsequent instalment of work.

(*c*) If the Provincial Forester or other authorized officer refuses to issue a permit for the beginning or carrying on of work prescribed by this Act, or prohibits its performance, the time during which such refusal or prohibition subsists.

14.—(1) Subsection 1 of section 88 of *The Mining Act* as amended by section 3 of *The Mining Act, 1929*, is amended by striking out the word "three" where it occurs in the second line of the subsection and in the words added by the said amendment and inserting in lieu thereof the word "six," and by striking out the figures "$10" in the last line of the said subsection and inserting in lieu thereof the figures "$3," so that the subsection shall now read as follows: Rev. Stat., c. 45, s. 88, subs. 1, amended.

Relief against forfeiture.

(1) Where forfeiture or loss of rights has occurred under section 87, the judge within six months after default, or the Minister at any time after such six months on report of the judge, may upon such terms as he may deem just make an order relieving the person in default from such forfeiture or loss of rights, and upon compliance with the terms, if any, so imposed the interest or rights forfeited or lost shall revest in the person so relieved, but as a term of such order in the case mentioned in clause *a* of subsection 1 of section 87, the holder of the claim shall obtain a special renewal license, which shall be so marked and which shall be issued only on payment of twice the prescribed license fee, and in the case mentioned in clause *d* of the said subsection, the holder shall file a proper report and pay therewith a special fee of $3.

(2) The said section 88 is further amended by adding thereto the following subsection: Rev. Stat., c. 45, s. 88, amended.

(3)

Extension of time for performance of work or payment of money.

(3) On application to him by an interested holder not earlier than thirty days before the date by which any work on a mining claim prescribed by this Act should be performed, or the date by which the money required for a patent or lease of the same should be paid, the judge may extend the time for performing the work or paying the money, as the case may be.

Rev. Stat., c. 45, s. 108, subs. 2, amended.

15. Subsection 2 of section 108 of *The Mining Act* is amended by striking out the words "Director of Surveys" in the fourteenth and fifteenth lines and inserting in lieu thereof the words "Surveyor General."

Rev. Stat., c. 45, s. 114, repealed.

16. Section 114 of *The Mining Act* is repealed and the following substituted therefor:

Rights, liabilities, etc., of partnership to remain in force.

114. All rights, liabilities and conditions pertaining to mining partnerships heretofore formed under this Act or any Act for which this Act was substituted, shall remain in full force and virtue until the expiry thereof as provided in the certificate of mining partnership.

Rev. Stat., c. 45, s. 175, cl. *f*, amended.

17. The clause lettered *f* in section 175 of *The Mining Act* is amended by striking out the words "a quarry claim or" in the second line and the words "working permit or" in the third line so that the clause shall now read as follows:

(*f*) Unlawfully marks or stakes out in whole or in part a mining claim, a placer mining claim or an area for a boring permit; or.

Rev. Stat., c. 45, s. 185, subs. 2, amended.

18. Subsection 2 of section 185 of *The Mining Act* is amended by inserting after the word "same" in the fourth line the words "nor until in the case where injury or damage has already been suffered, compensation has been determined by the judge, and the amount of the award paid," so that the subsection shall now read as follows:

Compensation.

(2) No such right shall be granted unless any injury or damage caused to any other person thereby can be adequately compensated for, nor unless in all the circumstances it seems reasonable and fitting to grant the same, nor until in the case where injury or damage has already been suffered compensation has been determined by the judge and the amount of the award paid, and in the exercise of any right so granted no unnecessary injury or damage shall be done to the land, property, rights or interests of other persons, and all injury and damage which may be caused to any person by the granting and exercise of any right obtained under this section shall be fully compensated for.

19.—(1) Item 22 in the schedule of fees to *The Mining Act* is amended by striking out the words "working permit or" in the second and third lines. Rev. Stat., c. 45, schedule "A," Item 22, amended.

(2) Item 25 of the said schedule of fees is amended by striking out the figures "$10" at the end and inserting in lieu thereof the words and figures "per claim, $3." Rev. Stat., c. 45, schedule "A," Item 25, amended.

(3) Item 27 of the said schedule of fees is amended by striking out the figures "$1" at the end and inserting in lieu thereof the figures "$3." Rev. Stat., c. 45, schedule "A," Item 27, amended.

20. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 11.

An Act to amend The Highway Improvement Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Highway Improvement Act, 1931.*

Rev. Stat., c. 54, s. 1, cls. *b*, *g*, repealed.

2. The clauses lettered *b* and *g* in section 1 of *The Highway Improvement Act* are repealed and the following substituted therefor:

"Department."

(*b*) "Department" shall mean Department of Highways;

"Minister."

(*g*) "Minister" shall mean Minister of Highways.

Rev. Stat., c. 54, s. 11, amended.

3. Section 11 of *The Highway Improvement Act* is amended by striking out the words "Minister of Public Works and Highways" at the commencement thereof and inserting in lieu thereof the words "Minister of Highways."

Rev. Stat., c. 54, s. 14, subs. 1, repealed.

4.—(1) Subsection 1 of section 14 of *The Highway Improvement Act* as amended by subsection 1 of section 2 of *The Highway Improvement Act, 1929*, is repealed and the following substituted therefor:

Debentures.

(1) Subject to the provisions of subsection 1*a* the council of any county may from time to time pass by-laws to raise by debentures payable in not more than twenty years in the manner provided by *The Municipal Act*, such sums as may be necessary to meet the actual expenditure for the construction and improvement of highways under this Act not exceeding five per centum of the equalized assessment of the county, or the council may by by-law provide that the required amount shall be raised in equal annual instalments by a general county rate levied in each successive year for a period not exceeding ten years

Rev. Stat., c. 233.

but

but such amount shall not exceed five per centum of the equalized assessment of the county and the provisions of this Act shall apply to any money heretofore or hereafter so provided as fully as if debentures had been issued whether a by-law transferring such money to a special account under Part II and Part III of this Act has or has not been passed.

(2) Subsection 1*a* of the said section 14 as enacted by subsection 2 of section 2 of *The Highway Improvement Act, 1929*, is amended by striking out the words "and levied" in the fourth and fifth lines, so that the subsection shall now read as follows: Rev. Stat., c. 54, s. 14, subs. 1*a* (1929, c. 17, s. 2, subs. 2), amended.

(1*a*) Where the council of a county has paid over moneys raised on sinking fund account to the Treasurer of Ontario under the provisions of sections 319 to 323 of *The Municipal Act*, the amount to be raised for the construction and improvement of highways under subsection 1 may be a sum not exceeding the total amount so in the hands of the Treasurer of Ontario with five per centum of the equalized assessment of the county added thereto. Limit of amount of county rate. Rev. Stat., c. 233.

(3) Subsection 3 of the said section 14 is amended by adding thereto the words "and the council of the county may pass a by-law or by-laws to raise by debentures in the same manner as provided in subsection 1, such sums as may be necessary to repay such temporary advances," so that the subsection shall now read as follows: Rev. Stat., c. 54, s. 14, subs. 3, amended.

(3) The council of the county may agree with any chartered bank or loan or trust corporation or with any person for temporary advances to meet the cost of the work in progress, but the total of such temporary advances shall not exceed in any one year the amount to be provided by the corporation of the county, together with the proportion of aid to be received from the Province, and the amount receivable from cities and towns as contributions on account of suburban roads under Part III, and the council of the county may pass a by-law or by-laws to raise by debentures in the same manner as provided in subsection 1, such sums as may be necessary to repay such temporary advances. Temporary advances.

(4) The amendments made by this section shall have effect as from the 1st day of January, 1930. Amendments retroactive.

5.—(1) Subsection 1 of section 26 of *The Highway Improvement Act* is amended by striking out all the words in the first Rev. Stat., c. 54, s. 26, subs. 1, amended.

four

four lines and inserting in lieu thereof the words "The council of a township, town or incorporated village may enter into an agreement with the council of the county or suburban roads commission providing for the widening of the right-of-way or for the construction of a wider pavement or other special construction upon a county road in such township, town or," so that the said subsection shall now read as follows:

Agreement between local municipality and county for widening streets and pavements.

(1) The council of a township, town or incorporated village may enter into an agreement with the council of the county or suburban roads commission providing for the widening of the right-of-way, or for the construction of a wider pavement or other special construction upon a county road in such township, town or incorporated village, and the agreement may provide that the cost of the work over and above the amount paid by the county under the provisions of this Act and amendments thereto shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners to be specially benefited and against the township, town or incorporated village respectively according to the report of an engineer.

Rev. Stat., c. 54, s. 26, subs. 2, amended.

(2) Subsection 2 of the said section 26 is amended by adding thereto the words "and it shall not be necessary to obtain the assent of the electors to any such by-laws nor observe the other formalities in relation thereto prescribed by *The Municipal Act*," so that the said subsection shall now read as follows:

Debentures for excess cost to local municipality.

(2) The council of the township, town or incorporated village may pass by-laws to raise by debentures, payable in not more than twenty years such sum as may be necessary to meet such excess cost and such debentures shall be a debt payable by the corporation, but the rate for the payment of any debentures so issued shall be levied and collected upon and from the property liable to assessment in the said township, town or incorporated village according to the assessment made by such engineer and it shall not be necessary to obtain the assent of the electors to any such by-laws nor observe the other formalities in relation thereto prescribed by *The Municipal Act*.

Rev. Stat., c. 233.

Rev. Stat., c. 54, s. 28, subs. 2, amended.

6.—(1) Subsection 2 of section 28 of *The Highway Improvement Act* as amended by section 4 of *The Highway Improvement Act, 1930*, is further amended by adding thereto the words "or the work may be undertaken as a local improvement under the provisions of *The Local Improvement Act*," so that the said subsection shall now read as follows:

(2)

(2) Where the roadway on such street exceeds twenty feet in width all expenditure thereon rendered necessary by such excess width and all other special work on the street shall be borne by the urban municipality, and the council of the urban municipality, with the approval of the Minister may by by-law provide for the issue of debentures to provide for the payment of such excess cost, and may apply the rebate payable under subsection 5, or so much thereof as may be necessary in payment of sums falling due from year to year on account of such debentures, and it shall not be necessary to obtain the assent of the electors to any such by-law nor to observe the other formalities in relation thereto prescribed by *The Municipal Act*, or the work may be undertaken as a local improvement under the provisions of *The Local Improvement Act.* Extent of liability of urban municipality.

(2) Subsection 4 of the said section 28 is amended by adding thereto the words "and may raise its share of the cost of the work by the issuing of debentures without the assent of the electors," so that the said subsection shall now read as follows: Rev. Stat., c. 54, s. 28, subs. 4, amended.

(4) Where any street described in subsection 1 is part of the county road system, the council of the county shall undertake the work as agreed upon with the council of the municipality and the urban municipality shall pay its proportion of the cost of the work to the county upon the report of the county road superintendent and the requisition of the county road committee and may raise its share of the cost of the work by the issuing of debentures without the assent of the electors. Where urban street forms part of county system.

7. Section 32 of *The Highway Improvement Act* as amended by section 6 of *The Highway Improvement Act, 1930*, is further amended by striking out the words "Minister of Public Works and Highways" where they occur in the eighth and twelfth lines respectively and inserting in lieu thereof the words "Minister of Highways." Rev. Stat., c. 54, s. 32, amended.

8. Section 34 of *The Highway Improvement Act* is amended by striking out the words "Department of Public Highways" in the fourth line and inserting in lieu thereof the words "Department of Highways." Rev. Stat., c. 54, s. 34, amended.

9.—(1) Subsection 1 of section 36 of *The Highway Improvement Act* is amended by striking out the words "and maintenance" in the sixth and seventh lines and inserting in lieu thereof the words "maintenance and superintendence" so that the subsection shall now read as follows: Rev. Stat., c. 54, s. 36, subs. 1, amended.

(1)

Roads to be county roads.

(1) Roads designated as "suburban roads" shall continue to be county roads under the jurisdiction and control of the county council, the work thereon to be under the supervision of the county engineer or road superintendent but subject to the direction of the commission appointed for that purpose, and the sums expended for construction, maintenance and superintendence may be included in the statements of expenditure as provided in section 17 of this Act, upon which the grants payable by the Province will be estimated and paid.

Commencement of subs. 1.

(2) The amendment made by subsection 1 shall have effect as from the 1st day of January, 1930.

Rev. Stat. c. 54, s. 56, amended.

10. Section 56 of *The Highway Improvement Act* is amended by adding thereto the following words: "or for making compensation in whole or in part, to any person whose land or property has been entered upon, taken, expropriated or acquired under this Act."

Rev. Stat., c. 54, s. 78, subs. 1, repealed.

11. Subsection 1 of section 78 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Regulations as to sign-boards, etc.

(1) The Lieutenant-Governor in Council upon the recommendation of the Minister may make regulations,—

Prohibiting and regulating.

(*a*) prohibiting or regulating the erection of signs and sign boards and the pasting or painting of signs or notices and the exposing of any advertising device upon or within one-quarter of a mile from any King's Highway;

Licensing and fixing license fees.

(*b*) for licensing and fixing the fees for licenses to be granted to any person for erecting any such sign or sign board, or pasting or painting any such sign or notice or exposing any such advertising device on any such road or within one-quarter of a mile thereof;

Application of fees.

(*c*) for the application of such fees or any part thereof to the maintenance of such road or otherwise;

Regulating placing of gasoline pumps

(*d*) for regulating the distance from the limit of any King's Highway at which gasoline pumps may be placed and operated and for directing the removal of any such pump placed or operated within such distance;

(*e*) for licensing and fixing the fees for licenses to be granted to any person operating a gasoline pump upon or within twenty-five feet from the limit of any King's Highway. Licensing gasoline pumps.

(1*a*) The powers conferred on the Lieutenant-Governor in Council by subsection 1 may, with respect to county and suburban roads, be exercised by the county council, but no by-law passed by a county council under this subsection shall have effect until approved in writing by the Minister. Powers conferred by subs. 1 to be exercised by county council with respect to county and suburban roads.

12. Subsection 4 of section 83 of *The Highway Improvement Act* as enacted by section 7 of *The Highway Improvement Act, 1928*, is amended by striking out the word "thirty" in the last line and inserting in lieu thereof the word "forty," so that the said subsection shall now read as follows: Rev. Stat., c. 54, s. 83, subs. 4 (1928, c. 18, s. 7), amended.

(4) The council of a township may apply to the Department for authority to construct a sidewalk or foot-path on a King's Highway or county road and the Department may grant such authority, and upon the completion of the work may approve of the same at their discretion, and upon such approval being given the Minister may authorize the payment to the township out of the fund of an amount not exceeding forty per centum of the cost of the work. Sidewalks and foot-paths on provincial and county highways.

13. Sections 20 to 36 of *The Ontario Highways Act*, being chapter 17 of the statutes of 1915, are repealed. 1915, c. 17, ss. 20-36, repealed.

14. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 12.

An Act to amend The Colonization Roads Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Colonization Roads Act, 1931.*

Rev. Stat., c. 37, s. 10, subs. 3, amended.

2. Subsection 3 of section 10 of *The Colonization Roads Act* is amended by striking out the words "twenty-five" in the fourth line and inserting in lieu thereof the word "fifty" so that the subsection shall now read as follows:

Aid from Province.

(3) Upon proof to the satisfaction of the Minister that any amount has been properly expended under the by-law, the Minister may direct the payment to the corporation of the municipality of a sum not exceeding fifty per centum of the amount so expended, and the sum named in the direction of the Minister shall be payable out of any moneys appropriated by the Legislature for the purposes of this section.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 13.

An Act to amend The Power Commission Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Power Commission Act, 1931.* Short title.

2. Section 1 of *The Power Commission Act* is amended by adding thereto the following clauses: Rev. Stat., c. 57, s. 1, amended.

(*d*) "Land" shall mean real property of whatsoever nature or kind, and shall include tenements, hereditaments and appurtenances, and any estate, term, easement, right or interest in, to, over, under or affecting land. "Land."

(*e*) "Owner" shall include mortgagee, lessee, tenant, occupant, or any person entitled to a limited estate or interest, and a guardian, committee, executor, administrator or trustee in whom land or any property or interest therein is vested. "Owner."

3. Sections 20 to 30 of *The Power Commission Act* are repealed and the following substituted therefor: Rev. Stat., c. 57, ss. 20 to 30 repealed.

20.—(1) The Lieutenant-Governor in Council may authorize the Commission at any time and from time to time, to acquire by purchase, lease, or in any other manner, or without the consent of the owner thereof to enter upon, take possession of, expropriate and use, any land, lake, river, stream, or other body of water or watercourse, and temporarily or permanently to divert or alter the boundaries or course of any lake, river, stream or other body of water or watercourse, or raise or lower the level of the same or flood or overflow any land. *New.*

(2) In particular, but without limiting the generality of subsection 1 hereof, the Lieutenant-Governor in Power may be given to Commission.

Council,

Council, upon the recommendation of the Commission, may authorize the Commission to

To acquire lands, water powers and works.

(*a*) acquire by purchase, lease or otherwise, or without the consent of the owner thereof or of any person interested therein, enter upon, take possession of, expropriate and use, the land, waters, water privileges, water powers and works, of any person owning, holding under lease or otherwise, or developing, operating or using the same for generating, or adapted for generating electrical power or energy or for the transmission thereof in Ontario; and develop and use the same for any of the purposes of this Act; R.S.O. 1927, c. 57, s. 20 (1), cl. *a*;

To acquire Dominion Power and Transmission Company Limited.

(*aa*) acquire by purchase the whole or any part of the property, assets and undertaking of Dominion Power and Transmission Company Limited, including shares held or owned by said company in any other company or companies of any kind or nature whatsoever, and to acquire the whole or any part of the properties, assets and undertakings of such other company or companies and to maintain and operate any property or properties so acquired; 1930, c. 12, s. 4, *part;*

To acquire and construct works for production of electricity.

(*b*) acquire by purchase, lease or otherwise, and construct, maintain and operate, works for the production of electrical power or energy by the use of coal, oil or any other means whatsoever; R.S.O. 1927, c. 57, s. 20 (1) cl. *b*.

Works on inter-provincial boundaries.

(*bb*) acquire by purchase, lease or otherwise, lands, waters, water privileges, water powers and works upon or adjacent to the boundary line between Ontario and any other province and situate in Ontario or in such other province, or partly in one and partly in the other of them, and erect, construct, maintain and operate upon any lands so acquired, works for the production and transmission of electrical power or energy, and enter into agreements with the Crown as representing such other province, or with any commission or department of the Government of such other province, or with any corporation or person interested in or affected by such works as to

the

the terms and conditions upon which such works shall be carried on and any rights so acquired be exercised.

(*bbb*) acquire by purchase in the open market or otherwise shares or stock of any company owning or controlling any such lands, waters, water privileges, water powers or works; 1930, c. 12, s. 4; *part;* Acquiring shares in companies operating on such boundaries.

(*c*) construct, maintain and operate, and acquire by purchase, lease or otherwise, or, without the consent of the owner thereof or of any person interested therein, enter upon, take possession of, expropriate and use, all erections, machinery, plant and other works and appliances for the transmission, supply and distribution of electrical power or energy; and conduct, store, transmit and supply electrical power or energy and steam for the purposes of this Act, and, with lines of wires, poles, conduits, pipes, motors or other conductors or devices, receive, conduct, convey, transmit, distribute, supply or furnish such electrical power or energy and steam to or from any person at any place through, over, under, along, upon or across any land, public highway or public place, stream, water, watercourse, bridge, viaduct or railway, and through, over or under the land of any person; To acquire plant for transmission of power.

(*d*) contract with any person generating, transmitting or distributing electrical power or energy, or proposing so to do, to supply electrical power or energy to the Commission; and require any person generating, transmitting or distributing electrical power or energy to supply so much thereof as the Commission may require; To contract for supply of power to Commission.

(*e*) enter upon, take and use, without the consent of the owner thereof, any land upon which any water power or privilege is situate, or any lake, river, stream or other body of water which, in the opinion of the Commission, is capable of improvement or development for the purpose of providing water power, and construct such dams, sluices, canals, raceways and other works as may be deemed proper or expedient for the said purposes, and flood and overflow any land to the extent to which the Commis- To flood lands and improve water powers.

sion

sion may deem necessary for the purpose of providing storage of the water or for any other purpose in connection with such works, and contract with any municipal corporation, company or individual for the use of any of the improvements or works so made, on such terms and conditions as may be agreed on;

To acquire flooded lands on behalf of municipality.

(*f*) enter upon, take and use, without the consent of the owner thereof, any land which may, in the opinion of the Commission, be necessary for the full enjoyment and exercise of any water right, water privilege or improvement undertaken by the Commission or by any municipal corporation or for the relief of the municipal corporation from liability for damages for the flooding or overflowing of such lands; but subject to the provisions of subsections 1 and 2 of section 30, the proceedings taken under this paragraph shall be at the sole expense of the municipal corporation, and the Commission may convey the lands so acquired to such corporation or make such other disposition thereof with the consent of such corporation as may be deemed expedient;

To acquire distributing plant.

(*g*) acquire by purchase or expropriate any plant, machinery, appliances, wires, poles and other equipment, and the land occupied by or used in connection therewith or any part thereof, used or intended for the distribution of electrical power or energy in a municipality, the corporation of which has entered into an agreement with the Commission for the supply of electrical power or energy, and contract for the sale and transfer to such municipal corporation of such plant, equipment and land upon such terms and for such price, not being less than the price paid by the Commission, with the expenses in connection with such purchase or expropriation added thereto, as may be agreed upon; but if part only of the property is taken the damage done to the property by the severance shall be taken into consideration in determining the compensation; R.S.O. 1927, c. 57, s. 20 (1), cls. *c-g*.

Purchasing shares in companies.

(*gg*) acquire from time to time by purchase in the open market or otherwise, shares or stock in or the securities of any incorporated company carrying on the business of developing, distributing

tributing or transmitting electrical power or energy and for the purposes of this Act the acquisition of such shares, or stock, or securities shall be an investment in works; 1930, c. 12, s. 5;

To acquire stock in development companies.

(*h*) acquire by purchase or otherwise on any terms and hold shares in any incorporated company carrying on the business of developing, supplying or transmitting electrical power or energy; and in connection with any such acquisition enter into any covenants and agreements, and pay for any such shares either in cash or in bonds, debentures or other securities of the Commission, and guarantee, or covenant or agree for or in respect of the payment or performance of any bonds, debentures, securities, contracts or obligations of any company shares in which are so acquired, or of any company shares in which are held by any company in which shares are so acquired; and for the purposes of this Act the acquisition of shares of such companies shall be deemed to be an investment in works.

To lease or operate works of others.

(*i*) lease or operate the works for the generation, transmission, distribution or use of electrical energy of any person, firm or corporation on such terms as the Commission may arrange with the owner;

To issue bonds, etc., for above purposes.

(*j*) issue bonds, debentures or other securities of the Commission for any of the purposes set out in this section, in such form and containing such terms and at such rate of interest and payable in such manner and at such time or times as the Lieutenant-Governor in council may determine. R.S.O. 1927, c. 57, s. 20, subs. 1, cls. *h-j*.

The Commission to have powers of Minister of Public Works.

(3) In relation to all matters authorized by the Lieutenant-Governor in Council under any of the provisions of this section, the Commission shall have, and may exercise and enjoy, in addition to the powers conferred by this or any other Act, all the powers conferred upon the Minister of Public Works in relation to a public work by *The Public Works Act*, and in the application of this section, where the words "The Minister," "The Department" or "The Crown" appear in the said Act, they shall, where the context permits mean and include the Commission.

(4)

Mode of perfecting title.

(4) Upon the deposit in the proper Registry or Land Titles Office of a plan and description of the land required by the Commission, signed by the Secretary or by an Ontario Land Surveyor, the land so described shall thereupon become and be vested in the Commission.

Procedure.

(5) Except as otherwise provided in this Act the Commission shall in the exercise of its compulsory powers, authorized by this section and section 26, proceed in the manner provided by *The Public Works Act*, where the Minister of Public Works takes land or property for the use of Ontario, and all the provisions of that Act with respect to the fixing, payment and application of compensation shall *mutatis mutandis* apply.

Powers of Board.

(6) Where the Commission elects to have the compensation determined by the Ontario Railway and Municipal Board, under the provisions of section 28 of *The Public Works Act*, the Board shall in addition to the powers conferred upon it by the said section 28 of *The Public Works Act*, and by *The Railway and Municipal Board Act*, have the power, upon the application of the Commission or the owner, to direct the filing and serving of pleadings, and particulars thereof, and to direct discovery and production as in actions in the Supreme Court, and in accordance with the rules of practice in that behalf.

Authorizations may be retroactive.

(7) The Lieutenant-Governor in Council may direct that any authorization to the Commission heretofore or hereafter given shall be retroactive, when the same shall be deemed to have taken effect from the time so fixed.

Exercise of powers not to be enjoined, etc.

(8) No act or proceeding of the Commission pursuant to any authorization of the Lieutenant-Governor in Council under this section shall be restrained by injunction or other process or proceeding in any court. *New.*

Mode of exercising and extent of powers.

21.—(1) Notwithstanding anything in this or any other Act, whenever the Commission has been authorized by the Lieutenant-Governor in Council to exercise any of the powers set out in clause *c* of subsection 2 of section 20 it may proceed under the following provisions of this section.

(2) The Commission may without notice and without the deposit of any plan or description or any pre-

requisite

requisite or preliminary action or formality, and with or without the consent of the owner thereof, enter upon, take possession of and use for such time as the Commission may deem desirable any land which the Commission may deem to be required for the due exercise of the powers so authorized.

Compensation

(3) Compensation shall be made to the owner for the land taken or used and for all damage to property resulting from the exercise of the said powers, and in fixing such compensation regard shall in all cases be had to the value of the land taken, or to the nature and extent of the estate, right, privilege, easement, or interest which the Commission decides to take and acquire in, over, upon or in respect of the land as the case may be, and the compensation shall be based thereon.

Rev. Stat. c. 57, How far to apply.

(4) Where the amount of the compensation has been agreed upon or fixed or otherwise determined, all of the provisions of *The Public Works Act* as to the payment or other disposition and application of the compensation or money payable in respect of the land, right or easement taken by the Commission shall, *mutatis mutandis*, apply.

Appointment and powers of valuator.

(5) The Lieutenant-Governor in Council may from time to time appoint some suitable person as a valuator, who shall receive his reasonable and necessary travelling and other expenses and such salary as may be fixed by the Lieutenant-Governor in Council, and the same shall be paid by the Commission as part of its general administration expense. When no agreement is arrived at as to the amount of compensation to be paid to the owner, the valuator shall as soon as conveniently may be after a request to him either from the owner or the Commission, secure from the Commission a description of the land, right or easement which the Commission requires or has taken from the owner and make such inquiries and inspection and procure such expert advice as he may think desirable and in accordance with subsection 3 fix and determine the compensation to be paid for such land, right or easement, or property damage, and notify by registered letter the owner and the Commission of such finding.

Appeal from valuator.

(6) Either the owner or the Commission, if dissatisfied with the amount of the compensation so fixed, may appeal within thirty days after the mailing of the

notice

notice of finding by the valuator by giving notice to the other that an appeal is desired from the same.

Who to hear appeals.

(7) An appeal from the valuator shall be heard and determined by the Ontario Railway and Municipal Board or a member thereof; provided however that the Lieutenant-Governor in Council may from time to time designate a judge of the Supreme Court or a judge of a county or district court to hear and dispose of any such appeal or appeals, and where the Commission gives notice to the owner that an appeal shall be determined by a judge instead of by the Board or a member thereof, the judge designated shall hear and determine such appeal. If a judge is so designated he shall receive his reasonable and necessary travelling expenses and such fee as may be fixed from time to time by the Lieutenant-Governor in Council and the same shall be paid by the Commission as part of its general administration expense.

Powers of judge or Board on appeal.

(8) The judge or the Board or any member thereof, as the case may be, shall appoint such time and place and give such notice of the hearing of appeals as may be thought proper and most convenient and such judge or Board or any member thereof shall for the purposes of this section have all the powers which are conferred upon the Ontario Railway and Municipal Board by subsections 3 and 4 of section 20 of *The Railway and Municipal Board Act* and the provisions of that Act with respect to procedure and the enforcement of orders made thereunder from time to time shall, *mutatis mutandis*, apply.

Costs of appeal.

(9) In the notice of appeal the appellant shall set out the amount which the appellant deems proper to have been fixed by the valuator and if, where the owner is the appellant, he fails to recover anything more than the amount fixed by the valuator, or if where the Commission is the appellant it fails to have the amount so fixed reduced, then the costs of the proceedings as between party and party shall be payable by the appellant. If under the provisions of this subsection the costs are payable to the Commission the same may be deducted from the compensation payable.

Scale of costs.

(10) The costs of the proceedings may be fixed by the judge or Board or member thereof at such amount as may be deemed proper, due regard being had however to the difference between the amount fixed by the valuator and the amount awarded by the judge or Board or member thereof, or may be

directed

directed to be taxed upon the scale of the division, county or Supreme Court scale, as the case may be. If it appears on such appeal that the claim to compensation put forward by the owner is grossly excessive, and the expense of the Commission has been thereby increased, the judge or Board or member thereof may fix and allow to the Commission by way of set-off against such costs as may be awarded to the owner hereunder, the amount of such excess expense.

Mode of perfecting title.

(11) The owner shall upon reasonable notice attend at a place to be fixed by the Commission, and execute such necessary instruments or documents as the Commission may require upon tender to him of the Commission's cheque for the amount awarded by the judge or Board or member thereof or fixed by the valuator, and costs, if any, less such costs as may have been awarded against him, and in the event of his failing to attend and execute such instruments or documents, or if for any reason the Commission deems it desirable, the Commission may file in the registry office or land titles office, as the case may be, in the district or county in which the land affected is situate, a plan and description of the land, right or easement so taken, signed by the Secretary of the Commission, or by an Ontario Land Surveyor, and thereupon such land, right or easement shall be and become vested in the Commission.

Appeals.

22.—(1) In cases under section 21, either the Commission or the owner may, subject to the provisions of subsection 2 of section *23a*, appeal to the Appellate Division from the order of the judge or the Board or member thereof, and in all other cases, either the Commission or the owner may appeal to the Appellate Division from the order of the judge or the Board as the case may be.

(2) Where the appeal is taken under the provisions of subsection 1, section 47 of *The Railway and Municipal Board Act* as to appeals from the Board shall apply.

Removal of trees and obstructions beside right-of-way.

23. The powers conferred upon the Commission by or under the authority of this Act, shall include the right to enter upon any land upon either side of the right-of-way acquired for the transmission or distribution lines or works of the Commission, or upon any land upon either side of such lines or works, and to fell or remove any trees or branches thereof or any other obstruction upon any such land or upon any public highway or place which, in the opinion of the

Commission,

Commission, it is necessary to fell or remove, but subject always to the payment of compensation as provided in section 21 of this Act, and the said section shall apply to the exercise of the powers mentioned in this section. R.S.O. 1927, c. 57, s. 23.

Owner to give notice of crop damage.

23*a*.—(1) Notwithstanding anything in section 21 where a claim is made against the Commission for damage to crops, gardens, shrubs, trees or other growing things, caused by or incidental to the construction, maintenance or repair of poles, wires, towers, or works included in or connected with power transmission lines, notice of such claim shall be given in writing, signed by the claimant at as early a date as possible, and so that the nature, character, extent and evidence of the damage may still be apparent, and in any case, not later than sixty days after the cause for complaint arose.

Effect of failure to give notice.

(2) If a claim is made after the time limited by subsection 1, and the claimant has failed to give the notice therein required, either the Commission or the owner may notwithstanding such failure, request the valuator to attend and investigate the damage complained of. The valuator, if satisfied that there was reasonable excuse for the failure to give or the insufficiency of, the notice, and that the Commission was not thereby prejudiced, may award such compensation as may appear to him to be just and in that event the finding of the valuator shall be final and binding upon the owner and the Commission. *New.*

Powers of Commission as to wires, poles and conduits.

24. In the exercise of the powers conferred and in carrying out any work authorized by this Act or any other general or special Act, the Commission has and always has had authority to carry its wires along, upon, under and across any public highway or street, and to erect poles and put down conduits and all other structures necessary for that purpose, and to take down, remove, or take up the same without taking any of the proceedings prescribed by this Act for the taking of land without the consent of the owner thereof, and the provisions of this Act with regard to compensation for lands so taken shall not apply, but the location of any poles, conduits, lines or other structures of the Commission to be hereafter erected, put down or constructed upon a highway shall be agreed upon by the Commission and the municipal corporation or other authority having control of the highway, or in case of disagreement shall be determined by the Ontario Railway and Municipal Board. R.S.O. 1927, c. 57, s. 24.

Cost of improvements.

25. Wherever in the course of constructing, reconstructing, altering or improving any highway it becomes necessary to take up, remove or change the location of poles, wires, conduits, transformers or other appliances or works placed on or under a highway by the Commission, the costs and expenses incurred in such work shall be apportioned and paid in the manner provided by sections 2 and 3 of *The Public Service Works on Highways Act*, and the said section shall apply to the Commission in the same manner and to the same extent as to a municipal corporation, commission, company or individual owning or operating appliances or works mentioned in the said section. R.S.O. 1927, c. 57, s. 25.

Rev. Stat., c. 56.

Buildings.

26.—(1) The Commission may expropriate, purchase, lease or otherwise acquire lands which the Commission may deem necessary for office, service, or other buildings, and may erect thereon such buildings and works as the Commission may require for its purposes.

Expense repayable by municipalities.

(2) All expenditures by the Commission for the purposes mentioned in subsection 1 shall be repayable to the Commission by the municipal corporations having contracts with the Commission, and shall be repaid by annual sums sufficient to form in forty years a sinking fund for the repayment of the cost thereof. R.S.O. 1927, c. 57, s. 26.

Sale of lands no longer required.

27. The Commission may, upon such terms as it deems proper, lease, sell or otherwise dispose of any property, real or personal, which the Commission may deem unnecessary for its purposes. R.S.O. 1927, c. 57, s. 27.

Abandonment of lands after expropriation.

28.—(1) Where any of the compulsory powers mentioned in section 20 are exercised with respect to land, and no entry on or use of the land taken has been made, except for the purpose of survey or examination, the Commission, at any time before the expiration of three months from the date of the award, may, by writing under the hand of the chairman and the seal of the Commission, registered in the proper registry or land titles office, declare that the land or any part thereof is not required and is abandoned by the Commission; and thereupon the land declared to be abandoned shall revest in the person from whom it was taken, or in those entitled to claim under him.

Total abandonment.

(2) Where the land taken, or any part thereof, is abandoned, the person from whom it was taken shall be

entitled

Partial abandonment.

entitled to all damages sustained and all costs incurred by him in consequence of the taking and abandonment; and where part only of the land is abandoned the fact of such abandonment and the damages, if any, sustained in consequence of that which is abandoned having been taken, and all the other circumstances of the case shall be taken into account in determining the amount to be paid to any person claiming compensation, and the amount of the damages, shall, subject to the provisions of section 21, be determined in the manner provided by *The Public Works Act*, and if a reference as to compensation is pending, shall be determined on such reference. R.S.O. 1927, c. 57, s. 28.

Rev. Stat., c. 52.

Extent of powers of expropriation.

29. The compulsory powers conferred by this Act shall extend to land, works, rights, powers, privileges and property notwithstanding that they are or may be deemed to be devoted to a public use or that the owner thereof possesses the power of taking land compulsorily. R.S.O. 1927, c. 57, s. 29.

Adjustment of proportions of cost of works on waters.

30.—(1) Where in the exercise of the powers conferred by this Act the Commission constructs any works or improvements upon any lake, river, stream or other body of water the Lieutenant-Governor in Council may direct a judge of the Supreme Court or the judge of the county or district court to enquire into and determine the proportion in which any municipal or other corporation, company or individual owning a water power or water power site, whether developed or not, is benefited by such works or improvements and the judge may make an order fixing the proportion in which the cost of such works and improvements shall be borne by any such municipal or other corporation, company or individual and by the Province respectively.

Apportionment of costs of works heretofore constructed

(2) Where under an agreement or any instrument purporting to be an agreement with a municipal corporation the Commission has heretofore constructed works or improvements upon any lake, river, stream or other body of water and it appears to the Lieutenant-Governor in Council that such works or improvements are or may be of benefit to, or increase the value of the land of any individual or corporation other than such municipal corporation, the Lieutenant-Governor in Council may direct a judge of the Supreme Court, or a judge of a county or district court, to inquire into and determine the proportion in which such municipal corporation and any such

individual

individual or other corporation are or may be respectively benefited or the value of the land of any of them increased by such works or improvements, and the judge may make an order fixing the proportion in which the cost of such works or improvements shall be borne by the municipal corporation party to such agreement or instrument, and by any such individual or corporation and by the Province respectively, and may fix such proportion without regard to the terms of such agreement or instrument. 1929, c. 20, s. 4.

Judge's powers on inquiry as to apportionment of costs of waterway improvement.

(*a*) The judge, upon an inquiry under this section, shall have the like powers as a judge sitting in court including the power to compel the attendance of witnesses, to hear evidence on oath and to require the production of books, papers, documents, matters and things and the order of the judge shall be enforceable in the manner provided by *The Judges' Orders Enforcement Act*. 1930, c. 12, s. 6.

Rev. Stat., c. 111.

When costs not to be awarded.

(3) No costs shall be awarded to any party appearing before the judge or otherwise interested in the inquiry. 1929, c. 20, s. 4.

Fees and expenses.

(4) The judge shall be paid such fees and expenses as shall be fixed by the Lieutenant-Governor in Council. 1929, c. 20, s. 4.

Cost of works, etc.,—what to include.

(5) For the purposes of this section the cost of the works or improvements shall be deemed to include all expenditures, charges and expenses as fixed by the Commission made or incurred by it in respect of the construction of such works or improvements, extensions and additions thereto, interest charges, operating expenses, repairs and maintenance, down to the date of the order of the judge, the fees and expenses of the judge and the expenses incurred by the Commission in connection with the inquiry. 1929, c. 20, s. 4.

Appeal.

(6) Any person, or any municipal or other corporation affected by the order made under the authority of subsection 1 or subsection 2 may, with the consent in writing of the Commission, appeal from such order to the Appellate Division. 1929, c. 20. s, 4.

Sinking fund.

(7) (*a*) The Commission may establish a sinking fund to be provided by the parties in the proportions directed by the order of the judge sufficient to discharge

charge and pay off the cost of such works or improvements and such of the capital cost as may be incurred from time to time by the Commission after the date of the order of the judge within such periods as the Commission may fix having regard to the life of such works or improvements and not exceeding forty years. 1929, c. 20, s. 4.

Annual apportionment of costs by Commission.

(*b*) The Commission shall subsequent to the order of the judge annually fix and determine the cost, charges or expenses incurred by it from time to time in the operation, maintenance, repair and renewal of such works and shall apportion and charge the same against the parties in the proportions fixed by the order of the judge together with the payments in respect of sinking fund hereinbefore mentioned and the amounts so charged shall be payable on demand recoverable in the manner hereinafter provided. 1929, c. 20, s. 4.

Allowance for previous expenditure.

(8) In fixing the amounts so payable the Commission shall give credit for any amount theretofore contributed to the cost of such works and improvements by a municipal or other corporation or by any individual. 1929, c. 20, s. 4.

Recovery of amount assessed.

(9) The amount so found payable by a municipal corporation shall be recoverable in the like manner as in the case of a charge for any other service rendered by the Commission to a municipal corporation and in the case of any other corporation or of an individual the amount so found due shall constitute a debt due to the Commission and shall be recoverable in any court of competent jurisdiction from the owners from time to time of the lands so found by the order of the judge to be benefited by such works or improvements and shall constitute a lien or charge upon such lands enforceable in the same manner and by the same proceedings as nearly as may be as in the case of a charge in favour of the Crown. 1929, c. 20, s. 4.

Share of Province,— how payable.

(10) Where a proportion of the cost of such works and improvements is to be borne by the Province the amount due from time to time in respect thereof shall be payable out of any moneys appropriated by the Legislature for that purpose. 1929, c. 20, s. 4.

How far order to be final and binding.

(11) When the proportions in which the cost of such works or improvements is to be borne have been fixed by order of the judge or of the Appellate Division such

order

order shall be final and binding unless and until it shall appear to the Commission that owing to change of circumstances or conditions in respect of such works or improvements it is equitable that there should be a readjustment of the proportions theretofore fixed by the order of the judge and in that case upon the application of any person liable to contribute to the cost of such works or improvements, made with the consent in writing of the Commission, the judge may make further inquiry and may readjust such proportions to be thereafter applied in such manner as he may deem just and equitable, subject to appeal as hereinbefore provided. 1929, c. 20, s. 4.

Rev. Stat., c. 57, s. 49, subs. 5, amended.

4. Subsection 5 of section 49 of *The Power Commission Act* is amended by inserting the words "principal or" before the words "sinking fund" in the fifth line thereof, and is further amended by inserting the word "of" before the word "interest" in the fifth line thereof.

Rev. Stat., c. 57, s. 64, subs. 8 (1929, c. 20, s. 6), amended.

5. Subsection 8 of section 64 of *The Power Commission Act* as enacted by subsection 3 of section 6 of *The Power Commission Act, 1929*, is amended by inserting after the word "costs" in the tenth line thereof the words "at any time," and is further amended by inserting after the word "area" in the eleventh line thereof the words "whether under this Act or *The Local Improvement Act*," and is further amended by adding before the word "only" in the thirteenth line thereof the following words, "it shall not be necessary to levy any special rate under *The Local Improvement Act* to provide for the payments which would otherwise be levied under the said Act in respect of the lands included in the area;".

Street lighting on local improvement plan.

Rev. Stat., c. 57, s. 80, amended.

6. Section 80 of *The Power Commission Act* is amended by adding thereto the following subsection:

Proving regulations as to installations, etc.

(12) The regulations passed pursuant to this section may be proved by the production of a copy of such rules and regulations certified to by the Secretary and bearing the seal of the Commission and the production of such certified copy bearing the seal of the Commission shall be *prima facia* evidence of the due execution thereof by the said Secretary.

Rev. Stat., c. 57, s. 81, amended.

7. Section 81 of *The Power Commission Act* is amended by adding thereto the following subsections:

Municipal debentures for extension or improvement.

(5) The provisions of this section shall not apply to any by-law or by-laws authorizing the issue of debentures to defray the cost of, or to repay temporary loans incurred in connection with any works mentioned in

subsection

subsection 1 hereof, when the estimated cost of such works and the borrowing of such estimated cost has been approved by the Commission and the principal amount of the debentures so authorized does not exceed the estimated cost aforesaid by more than five per cent.

Restriction as to application of local improvement by-law.

(6) Equipment, plant and works constructed and erected on petition only as defined in clause *n* of subsection 1 of section 2 of *The Local Improvement Act* shall not be deemed extensions or improvements within the meaning of this section.

Rev. Stat., c. 57, s. 97, subs. 1, amended.

8.—(1) Subsection 1 of section 97 of *The Power Commission Act* is amended by inserting before the word "Notwithstanding" at the commencement thereof the words "Except as provided in this section."

Appointment of municipal commissions.

(2) Subsection 2 of section 97 of *The Power Commission Act* as amended by section 11 of *The Power Commission Act, 1930*, is amended by striking out the words "at its first meeting in each year" in the tenth line and is further amended by striking out the word "or" in the thirteenth line and substituting therefor the word "and".

Rev. Stat., c. 57, s. 97, amended.

(3) Section 97 of *The Power Commission Act* is amended by adding thereto the following subsection:

Order of appointments on city commission.

(3) The order of the appointment of Commissioners provided for in subsection 2 shall be that the Commission may, if it sees fit to do so and has not at the time the vacancy occurs an appointee holding office on the municipal commission, first make an appointment. If the Commission desires to defer its appointment until the next vacancy occurs the council of the city shall make such appointment, but nothing in this subsection or in subsection 2 shall have the effect of removing from office any member of such municipal commission until his term of office shall have expired.

Rev. Stat., c. 57, s. 98, subs. 1, amended.

9. Subsection 1 of section 98 of *The Power Commission Act* is amended by adding thereto the following as clause *c:*

Prohibition of municipal commissioners being interested in certain concerns.

(*c*) Act as director, officer or employee of any company referred to in clause (*a*), or having any interest referred to in clause (*b*), or act as trustee, agent or representative of any firm or individual in respect of any business or interest referred to in clause (*a*) or clause (*b*).

Sale of Wahnapitae Company's assets confirmed.

10. The two agreements each dated 30th day of April, A.D. 1930, for sale and transfer to Wahnapitae Power Company

pany Limited by its two subsidiary companies, Upper Wahnapitae River Improvement Company Limited and Wahnapitae Boom and Timber Slide Company Limited, of all the properties, rights, assets, franchises and undertakings of each of the said subsidiary companies respectively, and also the agreement dated 30th day of April, A.D. 1930, for sale and transfer by Wahnapitae Power Company Limited of all its properties, rights, assets, franchises and undertakings to The Hydro-Electric Power Commission of Ontario in which the Montreal Trust Company joined as a Party are all hereby confirmed and declared to be legal, valid and binding to all intents and purposes and to have been authorized by *The Power Commission and Companies Transfer Act, 1930.* 1930, c. 16.

Sale of Galetta Company's assets confirmed.

11. The agreement dated the 30th day of April, A.D. 1930, for sale and transfer by The Galetta Electric Power and Milling Company Limited of all its properties, rights, assets, franchises and undertakings to The Hydro-Electric Power Commission of Ontario is hereby confirmed and declared to be legal, valid and binding to all intents and purposes.

Agreements for transfer of assets of certain companies confirmed.

12. The agreement dated the 31st day of March, A.D. 1930, for sale and transfer by Public Utilities Consolidated Corporation of all its Ontario properties, rights, assets, franchises and undertakings to The Hydro-Electric Power Commission of Ontario, and the two agreements each dated the 1st day of October, A.D. 1930, for sale and transfer by The Walkerton Electric Light and Power Company Limited and by The Saugeen Electric Light and Power Company of Ontario Limited of all the properties, rights, assets, franchises and undertakings of each of the said companies respectively to The Hydro-Electric Power Commission of Ontario are all hereby confirmed and declared to be legal, valid and binding to all intents and purposes.

Confirmation of title.

13. All and every part of the properties, assets, contracts, easements, rights, privileges, licenses, franchises and undertakings agreed to be sold to the Commission by any of the said agreements mentioned in sections 10, 11 and 12 or conveyed or purported to be conveyed to the said Commission thereby shall be, and shall be deemed to have been from the date of the respective agreement selling, conveying or purporting to convey the same, vested in and the property of the Commission free from all liens, charges and encumbrances save only that everything agreed to be sold, conveyed or purported to be conveyed under the said agreement for sale and transfer from Wahnapitae Power Company Limited to The Hydro-Electric Power Commission of Ontario dated the 30th day of April, A.D. 1930, shall be subject to the indenture of mortgage dated the 1st day of November, A.D. 1924, given by the Wahnapitae Power Company Limited to Montreal Trust Company as provided in *The Power Commission and Companies Transfer Act, 1930.* 1930, c 16.

14.

By-laws confirmed.

14. By-law number 1317 of the corporation of the town of Napanee; by-laws numbers 854 and 855 of the corporation of the town of Deseronto; by-law number 818 of the corporation of the town of Southampton; by-laws numbers 1462, 1463 and 1482 of the corporation of the town of Walkerton; by-laws numbers 306 and 307 of the corporation of the town of Wiarton; by-law number A 196 of the corporation of the village of Brighton; by-laws numbers 265 and 267 of the corporation of the village of Cardinal; by-laws numbers 706 and 707 of the corporation of the village of Hastings; by-law number 442 of the corporation of the village of Madoc; by-laws numbers 778, 779 and 786 of the corporation of the village of Port Elgin; by-law number 391 of the corporation of the village of Stirling; by-law number 351 of the corporation of the village of Tweed; by-law number 31 of 1929 of the corporation of the village of Windermere; by-law number 182 of the corporation of the township of Ameliasburg; by-law number 785 of the corporation of the township of Ancaster; by-law number 1047 of the corporation of the township of Bastard and Burgess South; by-laws numbers 614 and 615 of the corporation of the township of Camden East; by-law number A-11 of the corporation of the township of Crosby South; by-law number 1078 of the corporation of the township of East Whitby; by-law number 1228 of the corporation of the township of Hamilton; by-law number 420 of the corporation of the township of Hillier; by-law number 488 of the corporation of the township of Hungerford; by-law number 256 of the corporation of the township of Kingston; by-law number 704 of the corporation of the township of Lobo; by-law number 134B of the corporation of the township of Loughborough; by-laws numbers 1049 and 1050 of the corporation of the township of Manvers; by-law number 698 of the corporation of the township of Medonte; by-law number 604 of the corporation of the township of Rainham; by-law number 549 of the corporation of the township of Rawdon; by-law number 410 of the corporation of the township of Stamford; by-law number 9 of 1930 of the corporation of the township of Thorold; by-law number 455 of the corporation of the township of Trafalgar; by-law number 936 of the corporation of the township of Walpole; by-law number 2 of 1930 of the corporation of the township of Wolford; and all debentures issued or to be issued or purporting to be issued under any of the said by-laws which authorize the issue of debentures are confirmed and declared to be legal, valid and binding upon such corporations and the ratepayers thereof respectively and shall not be open to question upon any ground whatsoever notwithstanding the requirements of *The Power Commission Act* or the amendments thereto or any other general or special Act of this Legislature.

Commencement of Act.

15. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 14.

An Act to amend The Guelph Railway Act, 1921.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Guelph Railway Act, 1931.* Short title.

2. *The Guelph Railway Act, 1921*, as amended by *The Guelph Railway Act, 1923*, is further amended by adding thereto the following section: 1921, c. 22, amended.

6*a*.—(1) The Commission is hereby authorized without obtaining the consent of the corporation to issue bonds of the Commission to the principal amount of $300,000, dated 1st May, 1931, bearing such rate of interest, not exceeding 5 per centum per annum maturing on such date not later than 1st May, 1971, payable at such place and being in such form as the Commission may determine, and to sell, pledge or otherwise dispose of the said bonds upon such terms as the Commission may determine. The said bonds and any proceeds from the sale, pledge or other disposition thereof, to the extent that the same may be necessary, shall be employed by the Commission in repaying or retiring bonds of the Commission to the principal amount of $300,000 maturing 1st May, 1931, heretofore issued by the Commission under the authority of section 4, including any of said bonds maturing 1st May, 1931, which have been acquired by the Commission. Bond issue by the Commission.

(2) The Lieutenant-Governor in Council may authorize the Treasurer of Ontario for and on behalf of the Province, to guarantee the payment of the principal of, and interest on the bonds of the Commission authorized by this section, and the form of the guarantee and the manner of its execution shall be determined by the Lieutenant-Governor in Council. Bonds may be guaranteed by Province.

(3)

Application of debentures heretofore issued.

(3) Upon the payment or retirement, or provision for the payment or retirement of the said bonds of the Commission to the principal amount of $300,000, maturing 1st May, 1931, debentures to the principal amount of $300,000 heretofore issued by the corporation, and deposited with the Commission pursuant to section 5, shall be held and dealt with by the Commission and the corporation in the manner and upon the terms and conditions and for the purposes set forth in section 5, and in the agreement set out as schedule "A" to the same extent and effect as if the said debentures had been issued and deposited with the Commission in respect of the bonds of the Commission authorized to be issued under this section, instead of the said bonds maturing 1st May, 1931, and all the provisions of this Act and the said agreement relating to the said bonds, maturing 1st May, 1931, shall apply equally to the bonds authorized to be issued by the Commission under this section, provided that an annual sinking fund sufficient to repay at their maturity the bonds to be issued under this section, shall be set aside in each year during the currency of said bonds, and until applied to the repayment of said bonds at maturity, may be invested in securities authorized for investments by trustees in Ontario.

1921, c. 22, s. 5, subs. 5, amended.

3. Subsection 5 of section 5 of *The Guelph Railway Act, 1921*, as amended by *The Guelph Railway Act, 1923*, is amended by striking out the words "under section 9" in the fourth line and by substituting therefor the word "hereunder."

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 15.

An Act to amend The Department of Labour Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Department of Labour Act, 1931.* Short title.

2. *The Department of Labour Act* is amended by adding thereto the following section: Rev. Stat., c. 62, amended.

8.—(1) The Minister, with the approval of the Lieutenant-Governor in Council may make such regulations as may be deemed necessary for the safety and protection of persons engaged,— Regulations for protection of workmen.

(*a*) on work in the construction of which men are employed in compressed air;

(*b*) in the construction of tunnels and open caisson work.

(2) All such regulations heretofore made are declared to be and to have been legal, valid and binding. Confirmation of former regulations.

(3) The regulations made under this section shall be deemed to be in addition to and not in contradiction of or in substitution for regulations made under any other Act dealing with the safety of workmen and employees. Existing regulations not interfered with.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 16.

An Act to amend The Tile Drainage Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Tile Drainage Amendment Act, 1931.*

1929, c. 25, s. 2, amended.

2. Section 2 of *The Tile Drainage Act, 1929*, is amended by adding thereto the following subsection:—

(3) Notwithstanding the provisions of subsections 1 and 2, the council of a town, village or township, the assessment of the whole rateable property in which according to the last revised assessment roll is not less than $3,000,000, may for the purposes hereinafter mentioned borrow in sums of not exceeding $300,000 in the whole, provided the indebtedness in respect of money so borrowed and remaining unpaid shall not at any time exceed $300,000.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 17.

An Act to provide Better Marketing Facilities for Agricultural Products.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Ontario Marketing Act, 1931.*

Marketing board established.

2.—(1) There shall be established a board to be known as "The Ontario Marketing Board," hereinafter called the "Board," which shall consist of three persons to be appointed by the Lieutenant-Governor in Council with the powers and duties hereinafter set out.

Chairman,—Secretary.

(2) One of the persons so appointed shall be designated as chairman of the Board and there shall be a secretary of the Board who shall be appointed by the Lieutenant-Governor in Council.

Honorariums.

(3) The Lieutenant-Governor in Council may pay an honorarium to the chairman and other members of the Board.

Duties and powers.

3.—(1) It shall be the duty of the Board and they shall have power,—

Survey of conditions. Statistics.

(*a*) to make a general survey of conditions existing in the agricultural industry in all its branches and to prepare and maintain a tabulated register of all statistical and other information so obtained;

Information as to soil, climate, etc.

(*b*) to collect information regarding conditions as to the soil, climate and other particulars which may be useful in determining the adaptability of the various counties and districts in the Province for any particular class of farming or agricultural industry;

Recommendations as to packing, etc.

(*c*) to make recommendations as to packing, marketing and transporting of any agricultural product;

Marketing facilities.

(*d*) to seek the best possible local and other marketing facilities for any class of agricultural product;

Diffusion of information.

(*e*) to diffuse information among those concerned as to the agricultural facilities in Ontario and as to the best methods to be used in increasing productivity of the soil and the production of any particular class of agricultural products;

Dairy products.

(*f*) to encourage in every way the best methods for the manufacture, preparation and packing of dairy products for marketing in Ontario or elsewhere;

Generally.

(*g*) generally to promote the interests of the agricultural industry in Ontario as the Board may deem expedient.

Report to Minister

(2) The Board shall report to the Minister of Agriculture from time to time upon its operations and whenever required by the Minister so to do shall direct every effort to the improvement and increase of marketing facilities for any particular class of agricultural products or for any particular article in any such class.

Committees acting for board.

4. The Minister, upon the recommendation of the Board may appoint committees, each of which shall consist of not more than three persons, for the purpose of assisting in carrying out the objects and purposes of the Board with regard to any class of agricultural products or with regard to any particular article in any such class, and the Minister may provide for the remuneration and expenses of any such committee.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 18.

An Act respecting Dominion Agricultural Credit Company, Limited.

Assented to April 2nd, 1931.

Preamble.

WHEREAS Dominion Agricultural Credit Company, Limited, has been incorporated under *The Companies Act* of Canada by letters patent issued by the Secretary of State for Canada under date of the 23rd day of January, 1931, with power, among other things, to provide financial assistance for those engaged or about to engage in the breeding, raising and marketing of livestock and in other agricultural pursuits; to carry on any such business itself, and to produce, manufacture, acquire, keep, dispose of, ship and deal in agricultural and other products and goods, wares and merchandise of all kinds, and to invest and deal with the moneys of the company not immediately required, all as more fully set out in the said letters patent;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Power of insurance company, trust company, etc., to acquire, hold and dispose of shares of Dominion Agricultural Credit Company.

1. Notwithstanding anything contained in *The Insurance Act*, *The Loan and Trust Corporations Act* or any other Act, an insurance company, a trust company, a loan corporation or a loaning land corporation subject to the jurisdiction of the Legislature of Ontario shall have power to acquire, hold and dispose of shares of the capital stock of Dominion Agricultural Credit Company, Limited.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 19.

An Act to amend The Agricultural Associations Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Agricultural Associations Act, 1931.*

Rev. Stat. c. 70, s. 2, amended.

2. Section 2 of *The Agricultural Associations Act* is amended by striking out the words "Ontario Seed Growers' Association" in the twenty-second line and inserting in lieu thereof the words "Ontario Field Crop and Seed Growers' Association."

Rev. Stat. c. 70, s. 17, amended.

3. Section 17 of *The Agricultural Associations Act* is amended by adding thereto the following subsection:

Grants from municipal councils.

(2) The municipal council of any city, town, village, county or township in Ontario may grant or loan money or grant land in aid of any agricultural association formed within the limits of the municipality, or partly within the limits of such municipality and partly within the limits of other municipalities, or wholly within the limits of an adjoining municipality, when such association has made returns to the Minister as required by this Act, provided always that the total amount or value of the money or land heretofore or hereafter granted or loaned by any municipality to an agricultural association under this section shall not exceed $5,000 in the case of a city, $2,000 in the case of a town and $1,000 in the case of a village.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 20.

An Act to amend The Agricultural Representatives Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Agricultural Representatives Act, 1931.* Short title.

2. Section 4 of *The Agricultural Representatives Act* is repealed and the following substituted therefor: Rev. Stat. c. 73, s. 4, repealed.

4.—(1) The county council shall in each year on or before a date to be fixed by the Minister of Agriculture pay into a bank to the credit of the agricultural representative in charge of each office in the county the sum of $500 for the purpose of assisting in carrying on the work of the agricultural representative, and such sum shall be paid out from time to time by the agricultural representative with the approval of the Minister of Agriculture or of the officer designated as provided in section 3. County grants.

(2) An annual statement of the disposition of the sum so set apart together with a statement of the work carried on by each agricultural representative in the county during the preceding year shall be furnished to the county council. Annual statement.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 21.

An Act to amend The Vital Statistics Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Vital Statistics Act, 1931.*

Rev. Stat., c. 78, amended.

2. *The Vital Statistics Act* is amended by adding thereto the following section:

INFORMATION AS TO DIVORCES

Information as to divorces.

29*a*.—(1) The senior registrar of the Supreme Court at Toronto and every local registrar of the Supreme Court shall furnish the Registrar-General with such information as he may require in connection with the granting of divorces throughout the Province and the Registrar-General may prepare forms of return which shall include the names, occupations and addresses of the parties and such other particulars as he may deem necessary.

Fees.

(2) Every such officer shall, for the particulars as to each divorce, receive a fee of $2, and such fee shall be payable from time to time by the Treasurer of Ontario on the certificate of the Registrar-General.

Commencement of Act.

3. This Act shall come into force on the 1st day of June, 1931.

CHAPTER 22.

An Act to amend The Niagara Parks Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Niagara Parks Act, 1931.*

Rev. Stat., c. 81, s. 18, repealed.

2. Section 18 of *The Niagara Parks Act* is repealed and the following substituted therefor:

Agreements with municipalities as to improvements.

18.—(1) The Commission and the corporation of any municipality in which lands vested in the Commission are situate or which adjoins such lands may enter into agreements for,—

(*a*) establishing, laying out, opening, grading, altering the grade of, extending, widening, altering, diverting, constructing, reconstructing, paving, or otherwise improving a highway in the municipality and acquiring by the corporation of lands for any such purpose;

(*b*) maintaining and repairing any highway in the municipality;

(*c*) vesting in the Commission ownership of or jurisdiction and control over any lands acquired under or any highway described in any such agreement;

(*d*) apportioning between the Commission and the Corporation the cost of any work undertaken under any such agreement;

(*e*) payment of the whole or any part of the cost of any work undertaken under any such agreement and providing for payment either

in

in one sum or by annual or other instalments or otherwise as the agreement may stipulate.

Compensation where lands acquired or injured to be paid by municipality.

(2) Every agreement entered into under the authority of subsection 1 shall provide that the cost of any lands acquired pursuant thereto and all compensation payable in respect to such acquisition or for injurious affection to lands by reason of any work undertaken under any such agreement shall solely be borne and paid by the corporation of the municipality entering into the agreement.

Local improvement works.

(3) The Commission and the corporation of any municipality in which lands vested in the Commission are situate or which or any part of which adjoins or is within three miles of such lands may enter into a greements for the undertaking by the corporation in, upon, under, through, across, along or for any street or highway vested in or under the jurisdiction and control of the Commission of any work of any of the characters or descriptions mentioned in *The Local Improvement Act* as work which may be undertaken as a local improvement, including the acquisition of lands and the use of the same for establishing, laying out, opening, grading, altering the grade of, extending, widening, altering, diverting or otherwise improving a highway vested or to be vested in the Commission.

Work may be undertaken as local improvement.

Rev. Stat., c. 235,

(4) Any work undertaken by the corporation of a municipality pursuant to the provisions of any agreement entered into under subsection 3 may by the corporation be undertaken as a local improvement under *The Local Improvement Act* and according to the provisions thereof, notwithstanding that the street or highway is not vested in such corporation or that its council has no jurisdiction or control thereover.

Payment for work.

(5) In any agreement entered into under subsection 3 the Commission may agree to contribute such sum or sums towards the cost of any work undertaken thereunder and either in cash or by annual or other instalment or otherwise, but nothing in this section or in any agreement contained nor any such contribution shall in any way render liable to assessment under *The Local Improvement Act* for the cost of any such work any of the lands vested in the Commission whether abutting directly on the work or otherwise, which said lands shall continue to remain exempt from assessment and taxation.

(6)

(6) Every agreement entered into under subsection 3 shall provide that the corporation of the municipality entering into the same shall solely be responsible for any injury or damage resulting from or by reason of the execution of any work undertaken thereunder or from the existence of such work during the time of its construction and after the completion or from non-repair of the same and for all claims, demands, actions, suits, proceedings, costs and damages resulting therefrom. Liability of municipality.

(7) It shall not be necessary that any agreement entered into under this section be submitted to or receive the assent of the electors of the municipality, or that any by-law or by-laws of the corporation of such municipality for the issue of debentures to defray the cost or share of the cost of lands acquired or works undertaken under any such agreement shall be submitted to or receive the said assent. Assent of electors not required.

(8) Every agreement heretofore entered into between the Commission and the corporation of a municipality with the approval of the Lieutenant-Governor in Council for any of the purposes mentioned in this section shall be and shall be deemed to have been legal, valid and binding upon the Commission and upon such corporation and the ratepayers thereof and the provisions of subsection 7 shall apply thereto. Confirmation of agreements heretofore made.

(9) No agreement hereafter entered into under this section shall be effective or binding until the same is approved by the Lieutenant-Governor in Council, and upon such approval being obtained the agreement shall be legal, valid and binding upon the Commission and upon the corporation of the municipality entering into the same and the ratepayers thereof and shall not be open to question in any Court. Approval of Lieutenant-Governor in Council.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 23.

The Statute Law Amendment Act, 1931.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Rev. Stat., c. 19, amended.

1. *The Public Officers' Fees Act* is amended by adding thereto the following section:

COMPULSORY RETIREMENT OF OFFICERS.

Compulsory retirement of officers.

13. An officer, other than a sheriff, to whom this Act applies shall cease to hold office upon attaining the age of eighty years and the appointment of his successor.

Rev. Stat., c. 47, s. 3, amended.

2. Section 3 of *The Natural Gas Conservation Act* is amended by adding thereto the following subsection:

License to be procured from Minister for supply works for or supply of natural or artificial gas.

(2) No person shall hereafter, without the approval of the Lieutenant-Governor in Council given upon the recommendation of the Minister, construct any works to supply, or supply

(*a*) natural gas in any municipality in which such person is not at the date of the passing of this Act supplying artificial or natural gas, or

(*b*) artificial gas or natural gas in any municipality in which such person is not at the date of the passing of this Act supplying gas and in which natural gas or artificial gas is being supplied.

Rev. Stat., c. 47, s. 4, amended.

3. Section 4 of *The Natural Gas Conservation Act* is amended by adding thereto the following clause:

Prohibition of competitive methods, etc.

(*aa*) The prevention and prohibition of any competitive methods, conduct or policy, by any person, which in the opinion of the Minister may be unreasonable or improvident or inconsistent with the due conservation of the supply of natural gas in Ontario.

4.

4.—(1) Subsection 1 of section 7 of *The Natural Gas Conservation Act* is amended by adding thereto the following clause: Rev. Stat., c. 47, s. 7, subs. 1, amended.

(*c*) The disallowance of any rate charged for natural gas which he considers to be unjust or unreasonable or not conducive to the due conservation of the supply of natural gas in Ontario. Disallowance of rates.

(2) Subsection 2 of said section 7 is repealed and the following substituted therefor: Rev. Stat., c. 47, s. 7, subs. 2, repealed.

(2) No new rates and no alteration in existing rates for natural gas shall be put into effect unless and until they have been approved by the Referee. Referee to approve new or altered rates.

(3) The said section 7 is further amended by adding thereto the following subsections: Rev. Stat., c. 47, s. 7, amended.

(3) In fixing or approving rates for natural gas the Referee shall make no allowance for expenditures or losses caused by or resulting from the adoption of competitive methods which in the opinion of the Referee were unreasonable or improvident or were inconsistent with the due conservation of the supply of natural gas in Ontario. Exclusion of certain losses in fixing rates.

(4) The Referee may make any order under this section on a reference for such purpose by the Minister, without it being necessary that an application therefor be made by any person, or that any person be heard. Referee may proceed without application.

5. *The Natural Gas Conservation Act* is amended by adding thereto the following sections: Rev. Stat., c. 47, amended.

10*a*. Nothing in sections 9 or 10 shall in any way prevent, affect or limit the Minister making any order or regulation or giving any direction under clause *aa* of section 4, or the Referee from making any order under clause *c* of subsection 1 of section 7. Certain orders of Minister or Referee not affected or limited.

18*a*. Any order or regulation made or direction given by the Minister and any order made by the Referee under this Act may be made a judgment or order of the Supreme Court enforceable in the same manner as a judgment or order of such court to the like effect. Enforcement of orders, etc.

6. The clause lettered *a* in section 1 of *The Gasoline Tax Act* is repealed and the following substituted therefor: Rev. Stat., c. 55, s. 1, cl. a, repealed.

(*a*) "Gasoline" shall mean the liquid derived from petroleum or natural gas commonly known or sold as gasoline, benzol and all other liquids by whatever "Gasoline."

name

name known or sold, containing any derivative of petroleum or natural gas and produced, prepared or compounded for the purpose of generating power by means of internal combustion or which may be used for such purpose, except the product commonly known as kerosene oil.

Rev. Stat., c. 150, ss. 56, 57, 58, repealed.

7. Sections 56, 57 and 58 of *The Trustee Act* are repealed and the following substituted therefor:

Creditor holding security to value same.

56.—(1) On the administration of the estate of a deceased person, in case of a deficiency of assets, every creditor holding security on the estate of the deceased debtor or on the estate of a third person for whom the estate of the deceased debtor is only indirectly or secondarily liable, shall place a value on such security and the creditor shall rank upon the distribution of assets only upon the unsecured portion of his claim after deducting the value of the security, unless the personal representative shall elect to take over the security as hereinafter provided.

Where personal representative requires creditor to prove claim.

(2) Where the personal representative of a deceased person is of the opinion that there may be a deficiency of assets, he may require any creditor to prove his claim and to state whether he holds any security for his claim or any part thereof, and to give full particulars of the same and if such security is on the estate of the deceased debtor or on the estate of a third person for whom the estate of the deceased debtor is only indirectly or secondarily liable, to place a specified value on such security and the personal representative may either consent to the creditor ranking for the amount of his claim after deducting such valuation or may require from the creditor an assignment of the security at an advance of ten per centum upon the specified value to be paid out of the estate as soon as the personal representative has realized upon such security or is in a position to make payment out of the assets of the estate and in either case the difference between the value at which the security is retained or taken, as the case may be, and the amount of the claim of the creditor, shall be the amount for which he shall rank upon the estate of the deceased debtor.

Inspectors directing of; remuneration of.

(3) Where inspectors have been appointed as hereinafter provided or where the estate is being administered under the direction or by a court, the personal representative in making his election shall act under the direction of the inspectors or of the court, as the

case

case may be, and the remuneration of the inspectors shall be determined by the surrogate court judge on the passing of accounts.

Where claim based on negotiable instruments.

(4) If the claim of the creditor is based upon a negotiable instrument upon which the estate of the deceased debtor is only indirectly or secondarily liable and which is not mature or exigible, the creditor shall be considered to hold security within the meaning of this section and shall put a value on the liability of the person primarily liable thereon as his security for the payment thereof, but after the maturity of such liability and its non-payment he shall be entitled to amend and revalue his claim.

When creditor holding security fails to value same.

57.—(1) Where a creditor fails to value any security held by him which under the provisions of this Act he is called upon to value, the personal representative may apply to the judge of the surrogate court from which probate or letters of administration were issued in a summary way for an order that unless a specified value shall be placed on such security and notified in writing to the personal representative, within a time to be limited by the order, such claimant shall, in respect of the claim or the part thereof for which security is held, be wholly barred of any right to share in the proceeds of the estate unless the judge upon the application of the creditor extends the time for the valuation of the security.

Administration under direction of a court.

(2) Where an estate is being administered by or under the direction of a court, such court shall exercise the jurisdiction conferred by this section upon the judge of the surrogate court.

Calling meeting of creditors where there is a deficiency of assets.

58.—(1) Where in the administration of the estate of a deceased person the personal representative fears that there may be a deficiency of assets or that all the creditors will not be paid in full, the personal representative may call a meeting of creditors and lay before them the situation of the estate and at such meeting inspectors may be appointed by the creditors to assist the executor in the administration of the estate and to advise him with respect thereto.

Creditors request for meeting.

(2) In any such case the personal representative shall call a meeting of creditors at the request in writing of creditors holding ten per centum of the amount of claims filed against the estate for the purpose aforesaid.

Appointment of creditor as an inspector.

(3) In cases where no meeting of creditors has been held the personal representative may appoint a creditor or creditors as inspector or inspectors to assist him in the realizing and management of the estate but in such case the appointment shall be approved by the surrogate judge before the inspectors accept office.

Rev. Stat., c. 151, amended.

8. *The Public Trustee Act* is amended by adding thereto the following section:

Acting committee of estates of persons in certain Dominion hospitals.

15.—(1) The Public Trustee shall be *ex officio* committee of the estate of every person who has no other committee and is detained as an insane person in any hospital established under the provisions of *An Act to confer Certain Powers respecting Hospitals on the Lieutenant-Governor in Council* being chapter 108 of the Ontario Statutes for 1920.

Powers as committee.

(2) The Public Trustee as such committee shall have similar powers and authority with regard to the estates of such persons as he has with regard to the estates of persons confined in the Ontario Hospitals for the Insane.

Rev. Stat., c. 154, s. 5, cl. *b*, amended.

9.—(1) The clause lettered *b* in section 5 of *The Quieting Titles Act* is amended by adding at the end thereof the words "save and except mortgages of which discharges have been registered more than ten years prior to the date of the application and the discharges of such mortgages," so that the clause shall now read as follows:

Registered instruments.

(*b*) certified copies of all registered instruments, or registered memorials of instruments, affecting the land, or of all since the last judicial certificate, if any, under this Act, up to the time of the granting of the certificate of title save and except mortgages of which discharges have been registered more than ten years prior to the date of the application and the discharges of such mortgages.

Rev. Stat., c. 154, s. 9, amended.

(2) Section 9 of *The Quieting Titles Act* is amended by adding at the end thereof the following words "and by the production of a certificate from the Treasurer of Ontario that all claims for succession duty in respect of the land to be included in the certificate have been satisfied," so that the section shall now read as follows:

Evidence as to payment of taxes and succession duty.

9. Before a certificate of title is granted satisfactory evidence shall be given by certificate, affidavit or otherwise, that all taxes, rates and assessments for which the land is liable have been paid, or that all,

except

except those for the current year, have been paid, and by the production of a certificate from the Treasurer of Ontario that all claims for succession duty in respect of the land to be included in the certificate have been satisfied.

(3) Subsection 1 of section 22 of *The Quieting Titles Act* is amended by adding thereto the following clause: Rev. Stat., c. 154, s. 22, subs. 1, amended.

(*g*) Any claim for succession duty.

10.—(1) Subsection 2 of section 14 of *The Registry Act* is repealed and the following substituted therefor: Rev. Stat., c. 155, s. 14, subs. 2, repealed.

(2) No registrar, deputy registrar or clerk in a registry office shall personally or as a member of a firm carry on a loaning business or be in any way connected with a firm which transacts business with the office of the registrar. Idem.

(2) Subsection 8 of section 21 of *The Registry Act* as amended by section 3 of *The Registry Act, 1929*, is further amended by inserting after the word "administration" in the second line the words "general appointment of new trustees," so that the subsection shall now read as follows: Rev. Stat., c. 155, s. 21, subs. 8, amended.

(8) The general register shall be used for recording wills, probates, grants of administration, general appointment of new trustees, certificates of judgment or orders of any court removing or appointing executors, administrators, guardians or trustees and powers of attorney in which there is a general devise or power affecting land without local description, and claims for lien under *The Mechanics' Lien Act* against land which constitutes the line of railway or right-of-way of a railway company, and also certificates of amalgamation of loan corporations, and where a mortgage of railway or other lands was registered prior to the 1st day of April, 1899, in the general register of any registry division, a discharge of such mortgage or a reconveyance of the mortgaged premises may be registered therein. General registry book,— what to be used for.

(3) Section 55 of *The Registry Act* is amended by adding thereto the following subsections: Rev. Stat., c. 155, s. 55, amended.

(6) Subject to the provisions of subsection 4, whether letters probate or letters of administraton have or have not been granted, no deed, grant, conveyance, mortgage, assignment of mortgage, discharge of mortgage or other instrument purporting to convey, transfer or assign,— Instruments affecting lands of deceased owner not to be registered until consent of Provincial Treasurer given.

(*a*)

(*a*) any property standing in the name of a deceased person or held in trust for him or in the names of a deceased person and any other person;

(*b*) any property over which the deceased person had, at the time of his death a general power of appointment;

(*c*) any property in which the deceased person at the time of his death had any beneficial interest whatsoever, either at law or in equity;

(*d*) any property standing in the name of the personal representative of a deceased person or in the names of such personal representatives and any other person;

(*e*) any property standing in the name of a devisee or beneficiary derived under the will of a deceased person or in the name of such devisee or beneficiary and any other person,

shall be registered, unless the consent in writing of the Treasurer of Ontario is attached thereto, and until such consent is given (notwithstanding anything contained in *The Devolution of Estates Act*) any land so conveyed shall not vest in the person beneficially entitled thereto or his assigns or any person claiming under him.

Issue by Treasurer of general certificate to registration.

(7) The Treasurer of Ontario may issue a general certificate that all succession duty payable in respect to the estate or any lands forming part of the estate of a deceased person have been paid and satisfied or that security for such payment as required under the provisions of *The Succession Duty Act* has been given, and upon registration of the certificate it shall not be necessary that the provisions of subsection 6 be complied with in respect to any lands described in such certificate.

Certificate to contain local description of lands.

(8) A certificate to be registered under subsection 7 shall contain a local description of the lands mentioned therein and registration thereof shall be made by production of the original certificate and deposit of a true copy thereof or of so much thereof as relates to the lands situate in the registry division for which the same is to be registered with an affidavit verifying such copy.

(9)

(9) A certificate registered under subsection 8 shall be recorded and particulars thereof entered in the same manner as upon registration of an instrument which affects land by local description and for the purposes of this subsection and of subsection 8 "local description" shall have the meaning set forth in subsection 6 of section 32. Mode of recording general certificate.

11. *The Land Titles Act* is amended by adding thereto the following section: Rev. Stat., c. 158, amended.

61*a*. Notwithstanding anything contained in *The Devolution of Estates Act*, or this Act, no executor, administrator, devisee, beneficiary, heir, or any person interested in any freehold or leasehold land, or in any charge or interest therein, shall, by reason of the death of any registered owner of any such land, charge or interest in land be entered as owner until the consent in writing of the Treasurer of Ontario is obtained, which consent may be in respect to all or any of the land, charge, or interest in land of such deceased registered owner. Transfer of interest of deceased owner not to be entered without consent of Provincial Treasurer.

12. Subsections 2 and 3 of section 7 of *The Conditional Sales Act* are repealed and the following substituted therefor: Rev. Stat., c. 165, s. 7, subss. 2, 3, repealed.

(2) Where the purchase price of the goods exceed $30 and the seller or lender intends to look to the purchaser or hirer for any deficiency on a resale, the goods shall not be resold until after notice in writing of the intention to sell has been given to the purchaser or hirer or his successor in interest. Seller's notice of intention to sell.

(2*a*) The notice shall contain,— What notice to contain.

(*a*) a brief description of the goods;

(*b*) an itemized statement of the balance of the contract price due and the actual costs and expenses of taking and keeping possession up to the time of the notice;

(*c*) a demand that the amount as stated in the notice shall be paid on or before a day mentioned which day shall not be less than twenty days from the day of retaking possession of the goods;

(*d*) a statement that, unless the amount stated in the notice is paid within the time mentioned, the goods will be sold either at private sale or advertised and sold by public auction,

and

and that the seller or lender intends to look to the purchaser or hirer for any deficiency occasioned by any resale.

Service of notice.

(3) The notice shall be served personally upon or left at the residence or last known place of abode in Ontario of the purchaser or hirer or his successor in interest at least five days before the date set out in the notice for payment or may be sent by registered post at least seven days before such date set out in the notice for payment addressed to the purchaser or hirer or his successor in interest at his last known post office address.

Rev. Stat., c. 171, (1930, c. 21, s. 12, subs. 3), repealed.

13. Section 12 of *The Limited Partnership Act* as enacted by subsection 3 of section 12 of *The Statute Law Amendment Act, 1930*, is repealed, and the following substituted therefor:

Partnership name.

12. The business of the partnership shall be conducted under a name in which the names of one or more of the general partners shall be used, and unless any limited partner whose name is used in the partnership name is clearly designated as a limited partner in a line immediately beneath the name of the partnership upon letterheads, confirmations to customers and statements of account, he shall be deemed a general partner.

Rev. Stat., c. 181, s. 36, subs. 1, repealed.

14. Subsection 1 of section 36 of *The Marriage Act* is repealed and the following substituted therefor:

Penalty for making false statement.

(1) Any person who knowingly makes any false statement of fact in any affidavit made under the provisions of this Act or in or touching the particulars mentioned in form 4, in addition to any other penalty or punishment which he may be liable to incur, shall, on summary conviction, be liable to a penalty of not less than $20 and not more than $200.

Rev. Stat., c. 188, ss. 17, 18, 26, 27 and 28, amended.

15. Sections 17, 18, 26, 27 and 28 of *The Children of Unmarried Parents Act* are amended by striking out the words "the Judge" wherever they occur in the said sections and inserting in lieu thereof the words "a judge."

Rev. Stat., c. 189, s. 1, subs. 1, amended.

16.—(1) Subsection 1 of section 1 of *The Adoption Act* is amended by striking out the words "Attorney General" in the fourth and fifth lines and inserting in lieu thereof the words "Minister of Public Welfare."

Rev. Stat., c. 189, s. 2, subs. 1, repealed.

(2) Subsection 1 of section 2 of *The Adoption Act* as amended by subsection 1 of section 2 of *The Adoption Act, 1928*, is repealed and the following substituted therefor:

(1) Except with the consent of the Minister of Public Welfare an adoption order shall not be made in any case where,— When consent of Minister to be obtained.

(*a*) the applicant is under the age of twenty-five years; or

(*b*) the applicant is less than twenty-one years older than the infant in respect of whom the application is made.

(3) Subsection 3 of the said section 2 as amended by clause *b* of subsection 2 of section 2 of *The Adoption Act, 1928*, and section 11 of *The Statute Law Amendment Act, 1929*, is amended by inserting after the word "custody" in the fourth line the words "or lawful control" so that the first part of the subsection shall now read as follows: Rev. Stat., c. 189, s. 2, subs. 3, amended.

(3) An adoption order shall not be made except with the consent of every person or body who is a parent or guardian of the infant in respect of whom the application is made or who has the actual custody or lawful control of the infant or who is liable to contribute to the support of the infant: Consent required to adoption order.

17. Notwithstanding anything contained in *The Insurance Act*, sections 274 and 275 of the said Act shall not be deemed to be in force until a day to be named by the Lieutenant-Governor by his Proclamation. Ss. 274 and 275 of Rev. Stat. 222 not effective until proclaimed.

18. Subsection 1 of section 148 of *The Loan and Trust Corporations Act* as re-enacted by section 8 of *The Loan and Trust Corporations Act, 1930*, is amended by striking out the word "verify" in the fourth line and inserting in lieu thereof the words "inspect and examine," so that the said subsection shall now read as follows: Rev. Stat., c. 223, s. 148, subs. 1 (1930, c. 42, s. 8), amended.

(1) The Registrar shall visit personally or cause a duly qualified member of his staff to visit at least once annually the head office of each corporation registered under this Act, and he shall inspect and examine the statements of the condition and affairs of each corporation and make such inquiries as are necessary to ascertain its condition and ability to provide for the payment of its liabilities as and when they become due, and whether or not it has complied with all the provisions of this Act, and the Registrar shall report thereon to the Minister, as to all matters requiring his attention and decision. Annual inspection of registered corporations.

19.

Rev. Stat., c. 227, s. 70, amended.

19. Section 70 of *The Telephone Act* is amended by inserting after the word "subscribers" where it occurs the second time in the second line the words "or the presence in person of at least twenty-five subscribers or one-tenth of all the subscribers," so that the section shall now read as follows:

Quorum, proxies.

70. The presence in person or by proxy of at least fifty subscribers or of one-fourth of all the subscribers, or the presence in person of at least twenty-five subscribers or one-tenth of all the subscribers shall be necessary to constitute a quorum at general meetings, and the instrument appointing a proxy shall be in writing under the hand of the appointor, or if such appointor is a corporation, under its common seal and shall be attested by at least one witness and no person shall be appointed a proxy who is not a subscriber.

Rev. Stat., c. 280, amended.

20. *The Mothers' Allowances Act* is amended by adding thereto the following section:

Investigator in unorganized districts authorized to take affidavits, etc.

8*c*. The investigator in every unorganized district shall for the purposes of the administration of this Act, have power to take declarations and affidavits and to receive evidence under oath in the same manner and to the same extent as a commissioner for taking affidavits.

Rev. Stat., c. 281, s. 2, subs. 1, amended.

21. Subsection 1 of section 2 of *The Juvenile Courts Act* is amended by striking out the words "and residence in the county for which he is appointed" in the third and fourth lines, so that the subsection shall now read as follows:

Judge,— appointment of.

(1) The judge of a juvenile court shall be appointed by the Lieutenant-Governor in Council and shall hold office during good behaviour and shall be subject to removal by the Lieutenant-Governor in Council.

Rev. Stat., c. 345, s. 1, cl. *b*, repealed.

22. Clause *b* of section 1 of *The Reformatory Act* is repealed and the following substituted therefor:

"Inspector."

(*b*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.*

Rev. Stat., c. 346, s. 1, cls. *a* and *d*, repealed.

23.—(1) Clauses *a* and *d* of section 1 of *The Andrew Mercer Reformatory Act* are repealed and the following substituted therefor:

"Inspector."

(*a*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.*"

(*d*) "Regulations" shall mean regulations made under *The Public Institutions Inspection Act, 1931.* "Regulations."

(2) Section 19 of *The Andrew Mercer Reformatory Act* is repealed. Rev. Stat., c. 346, s. 19, repealed.

24.—(1) Wherever in sections 3, 4, 12 and 13 of *The Industrial Farms Act* the words "one of the inspectors of prisons and public charities" occur the words "an inspector appointed under *The Public Institutions Inspection Act, 1931*," are substituted therefor. Rev. Stat., c. 350, ss. 3, 4, 12 and 13, amended.

(2) Section 15 of *The Industrial Farms Act* is amended by striking out the words "one of the inspectors of prisons and public charities" at the commencement of the said section and inserting in lieu thereof the words "an inspector appointed under *The Public Institutions Inspection Act, 1931.*" Rev. Stat., c. 350, s. 15, amended.

25. Clause *a* of section 1 of *The Gaols Act* is repealed and the following substituted therefor: Rev. Stat., c. 351, s. 1, cl. *a*, repealed.

(*a*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.* "Inspector."

26.—(1) Clauses *c* and *g* of section 1 of *The Hospitals for the Insane Act* are repealed and the following substituted therefor: Rev. Stat., c. 353, s. 1, cls. *c* and *g*, repealed.

(*c*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.* "Inspector."

(*g*) "Regulations" shall mean regulations made under *The Public Institutions Inspection Act, 1931.* "Regulations."

(2) Subsection 1 of section 61 of *The Hospitals for the Insane Act* is amended by striking out the words "of Prisons and Public Charities" in the eleventh and twelfth lines. Rev. Stat., c. 353, s. 61, subs. 1, amended.

(3) Subsection 1 of section 62 of *The Hospitals for the Insane Act* is amended by striking out the words "of Prisons and Public Charities" in the second line and in the sixth line. Rev. Stat., c. 353, s. 62, subs. 1, amended.

27.—(1) *The Psychiatric Hospitals Act* is amended by adding thereto the following section: Rev. Stat., c. 354, amended.

20. The Minister may direct the establishment and maintenance of post graduate courses and clinical and laboratory research at a psychiatric hospital to be carried on in accordance with any regulations which may be made respecting the same. Post-graduate courses, etc., in psychiatry.

(2)

Rev. Stat., c. 354, s. 1, cl. *b*, repealed.

(2) Clause *b* of section 1 of the said Act is repealed and the following substituted therefor:

"Inspector."

(*b*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.*

Rev. Stat., c. 355, s. 1, cl. *c*, repealed.

28.—(1) Clause *c* of section 1 of *The Private Sanitarium Act* is repealed and the following substituted therefor:

"Inspector."

(*c*) "Inspector" shall mean an inspector appointed under *The Public Institutions Inspection Act, 1931.*

Rev. Stat., c. 355, s. 70, repealed.

(2) Section 70 of *The Private Sanitarium Act* is repealed.

Rev. Stat., c. 356, s. 3, amended.

29. Section 3 of *The Ontario Hospital, Woodstock, Act* is amended by striking out the words "*The Prisons and Public Charities Inspection Act*" in the first and second lines and inserting in lieu thereof the words "*The Public Institutions Inspection Act, 1931.*"

1929, c. 14, s. 4, amended.

30.—(1) Section 4 of *The Provincial Forests Act, 1929*, is amended by inserting after the word "shall" in the fourth line the words "except where the Lieutenant-Governor in Council may otherwise direct," so that the section shall now read as follows:

Lands reserved, not to be located, sold, etc.

4. From and after the date hereof as to the provincial forests set out in the schedule hereto, and from and after the date of any proclamations issued under the authority of this Act, no land within any such forests shall, except where the Lieutenant-Governor in Council may otherwise direct, be located, sold, leased or otherwise disposed of for the purposes of agricultural settlement.

1929, c. 14, sched. "A," amended.

(2) Schedule "A" to *The Provincial Forests Act, 1929*, is amended by adding to the description of Timagami Provincial Forest the words "excepting therefrom that portion of the Township of Lorrain which was included in said Timber License (1927-1928) number 163," so that the said description shall now read as follows:

TIMAGAMI PROVINCIAL FOREST.

That area known as the Timagami Forest Reserve, comprising 5,830 square miles more or less with the following addition thereto, namely: Timber License (1927-1928) number 163, comprising 100 square miles more or less excepting therefrom that portion of the Township of Lorrain which was included in said Timber License (1927–1928) number 163.

31. Section 18 of *The Statute Law Amendment Act, 1930*, shall not apply, or since it came into force be deemed to have applied to any hospital which at the time the said Act was passed was receiving, or under any Order-in-Council was entitled to receive aid by reason of it not having been established for a period of ten years, or to the Victoria General Hospital at Renfrew, the Plummer Memorial Public Hospital at Sault Ste. Marie, the General Hospital at Port Arthur, and the Misericordia Hospital at Haileybury, and aid may be granted and continued to any hospital to which the said section 18 is, by virtue hereof, not to apply as may be directed by the Lieutenant-Governor in Council. Application of 1930, c. 21, s. 18.

32. Section 3 of *The Guelph General Hospital Act, 1930*, is amended by adding thereto the following subsection: 1930, c. 81, s. 3, amended.

(2) Any property, real or personal, whether or not specifically mentioned in this Act belonging to the said hospital or which hereafter may be acquired for its purposes or which heretofore may have been or hereafter may be given by way of bequest, devise, donation or otherwise to or for the benefit of the said hospital and whether in the name of the said hospital or of the corporate body in which the said hospital was previously vested or its directors or in the name of the corporation are and shall be vested in the corporation for the purposes of the said hospital. Property vested in hospital.

33. Section 27 of *The Niagara Peninsula Sanatorium Act, 1930*, is repealed. 1930, c. 115, s. 27, repealed.

34. The Public Utilities Commission of the City of St. Catharines, formerly the Hydro-Electric Commission of the City of St. Catharines, is declared to have been from the 1st day of January, 1914, validly established under the provisions and for the purposes of *The Public Utilities Act*, and By-law number 4013 of the corporation of the City of St. Catharines relating thereto is hereby confirmed. Public Utilities Commission of St. Catharines declared to be validly established.

35. By-law Number 1326 of the corporation of the Town of Walkerville providing for the construction of a subway under the tracks of the Pere Marquette and the Lake Erie and Detroit River Railway Companies in the Town of Walkerville authorized by the Board of Railway Commissioners for Canada, and By-law Number 1327 of the said corporation authorizing the acquisition of lands for such purposes, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the construction of the said work and the acquisition of the said lands, hereinafter referred to as the undertaking, and all By-law No. 1326 of town of Walkerville confirmed.

temporary

temporary advances heretofore or hereafter obtained to meet the cost of the undertaking pending the completion of it shall conclusively be deemed to have been legally undertaken, authorized and obtained, and the council of the said corporation may when the said undertaking has been completed pass a by-law or by-laws to borrow on the credit of the corporation by the issue and sale of debentures, payable in not more than thirty years from the date thereof, such sum or sums as may be necessary to repay the said temporary advances and to defray the cost of the said undertaking, after deducting any contributions made towards the cost thereof, and no such by-law or by-laws shall require the assent of the electors entitled to vote on money by-laws or the approval of the Ontario Railway and Municipal Board under the provisions of *The Municipal Act*.

Commencement of Act

36. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 24.

An Act to amend The Judicature Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Judicature Act, 1931.* Short title.

2. Section 3 of *The Judicature Act* is repealed and the following substituted therefor: Rev. Stat., c. 88, s. 3, repealed.

3. The Supreme Court shall continue to consist of two branches—The Appellate Division, which shall hereafter be known as "The Court of Appeal for Ontario" and The High Court Division, which shall hereafter be known as "The High Court of Justice for Ontario," and *The Judicature Act* and Rules of Court shall be deemed to be amended throughout accordingly. Supreme Court continued. Jurisdiction.

3. Section 4 of *The Judicature Act* is repealed and the following substituted therefor: Rev. Stat., c. 88, s. 4, repealed.

4.—(1) Subject to the provisions of subsections 2 and 3, the Court of Appeal for Ontario shall consist of a Chief Justice who shall be the President thereof and shall be called the Chief Justice of Ontario, a Chief Justice who shall be called the Chief Justice in Appeal and eight other Judges to be called Justices of Appeal. The Court of Appeal,—how constituted.

(2) When, and as from time to time, vacancies occur in the office of any Justices of Appeal, except the Chief Justice of Ontario, the number of Judges upon the Court of Appeal, shall be proportionately reduced until it consists of the Chief Justice of Ontario, the Chief Justice in Appeal, if any, and six Justices of Appeal, provided that upon a vacancy occurring in the office of the Chief Justice of Ontario, Reduction of the Court of Appeal when vacancies occur.

the

Vacancy in office of Chief Justice of Ontario.

the number of Judges upon the Court shall not be reduced unless the resulting vacancy is filled by appointing one of the Justices of Appeal.

Chief Justice in appeal.

(3) The Chief Justice of the Second Divisional Court shall hereafter be designated the Chief Justice in Appeal, and section 6 and any other section or Rule of Court referring to the Chief Justice of the Second Divisional Court shall be deemed to be amended accordingly.

When a vancancy occurs in the office of the Chief Justice in Appeal, the office shall be abolished, but such abolition, if it occurs after the Court of Appeal is reduced to eight members, shall not further reduce the number of Justices upon such Court.

Rev. Stat., c. 88, s. 5, repealed.

4. Section 5 of *The Judicature Act* is repealed and the following substituted therefor:

The High Court of Justice,— how constituted.

5.—(1) The High Court of Justice for Ontario shall consist of a Chief Justice who shall be called the Chief Justice of the High Court and, subject to the provisions of subsection 3 of this section, eight other Judges.

(2) The Chief Justice of the High Court shall be president of the High Court of Justice.

(3) When, and as often as, vacancies occur in the Court of Appeal and that Court is reduced in number, as provided in section 4, the High Court shall be correspondingly increased in number until it shall consist of the Chief Justice and ten other Judges.

Rev. Stat., c. 88, s. 31, subss. 1, 2, repealed, subss. 3, 4, amended.

5. Subsections 1 and 2 of section 31 of *The Judicature Act* are repealed and subsections 3 and 4 are renumbered 1 and 2 respectively.

Rev. Stat., c. 88, s. 39, repealed.

6. Section 39 of *The Judicature Act* is repealed and the following substituted therefor:

Divisional Courts merged in the Court of Appeal.

39.—(1) The present Divisional Courts of the Appellate Division shall be merged and form one Court, hereafter known as "The Court of Appeal for Ontario."

(2) Every appeal to the Court of Appeal for Ontario, shall be heard before not less than three Justices of the Court sitting together, and always before an uneven number of Justices.

(3) The Court of Appeal may sit in two divisions in alternate weeks or at the same time.

(4) The Justices to sit from time to time and the appeals to be heard, shall be determined by the Chief Justice of Ontario.

Rev. Stat., c. 88, s. 40, subs. 1, 2 and 3, repealed.

7.—(1) Subsections 1, 2 and 3 of section 40 of *The Judicature Act* are repealed, and the following substituted therefor:

Chief Justice may assign certain work.

(1) The Chief Justice of Ontario may assign any Justice of Appeal not sitting in the Court of Appeal to perform, in Toronto, the work of a High Court Judge.

Rev. Stat., c. 88, s. 40, subs. 5, amended.

(2) Subsection 5 of the said section 40 is amended by striking out the words and figures "Subsections 3 and 4" in the first line and inserting in lieu thereof the word and figure "subsection 2."

Rev. Stat., c. 88, s. 40 subss. 4 to 8, renumbered.

(3) Subsections 4, 5, 6, 7 and 8 of the said section 40 are renumbered 2, 3, 4, 5 and 6 respectively.

Rev. Stat., c. 88, s. 41, repealed.

8. Section 41 of *The Judicature Act* is repealed and the following substituted therefor:—

Chief Justice and Justices of Appeal not to be assigned certain work without consent.

41. Neither the Chief Justice of Ontario, nor any of the Justices of Appeal, shall, except as provided in section 40, without his consent, be assigned to, or required to perform any duty except as such appertains to him as a member of the Court of Appeal.

Rev. Stat., c. 88, s. 42, repealed.

9. Section 42 of *The Judicature Act* is hereby repealed.

Rev. Stat., c. 88, s. 43, repealed.

10. Section 43 of *The Judicature Act* is repealed and the following substituted therefor:—

Presiding Chief Justice or Judge.

43. The Chief Justice of Ontario when present, shall preside, and in his absence, the Chief Justice in Appeal, or in his absence, the Senior Justice present, shall preside.

Rev. Stat., c. 88, s. 82, subs. 2, amended.

11. Subsection 2 of section 82 of *The Judicature Act* is amended by adding after the words "Crown and Pleas" in the first line of clause *a*, the words "or a local registrar," so that the subsection shall now read as follows:

(2) Subsection 1 shall not apply to the fees of,—

Certain officers paid by salary may take fees.

(*a*) a deputy clerk of the Crown and Pleas, or a local registrar on an examination had before him as a special examiner or on a reference made to him as an official referee.

(*b*)

(*b*) a stenographic reporter for copies of shorthand notes of evidence, who shall be entitled to take the fees prescribed by Order-in-Council.

The Judicature Act amended generally.

12. *The Judicature Act* shall be deemed to be amended throughout in accordance with this Act.

Commencement of Act.

13. The provisions of this Act, other than section 11, shall come into force on the 1st day of September, 1931. Section 11 shall come into force on the day upon which this Act receives the Royal Assent.

CHAPTER

CHAPTER 25.

An Act to confer upon the Supreme Court certain Powers in Actions for Divorce.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Matrimonial Causes Act, 1931.*

Alimony.

2. In any action for divorce or to declare the nullity of any marriage, the Court may order that the husband shall secure to the wife, unless she has been guilty of adultery, such gross sum of money or annual sum of money for any term, not exceeding her life, as, having regard to her fortune, if any, and to the ability of the husband and to the conduct of the parties, may be deemed reasonable and may suspend the pronouncement of the judgment absolute until all necessary deeds and instruments have been executed.

Alimony.

3.—(1) In addition to or in substitution for an order under the preceding section the Court may direct the husband to pay to the wife, unless she has been guilty of adultery, during the joint lives of the husband and wife and so long as she remains chaste such monthly or weekly sum for her support and maintenance as the Court may think reasonable,

Provided that,—

Proviso when order may be changed.

(*a*) If the husband after any such order becomes, from any cause, unable to make the payments, the Court may discharge or modify the order or temporarily suspend the order in whole or in part and may subsequently revive it in whole or in part as may be deemed proper.

(*b*) If the means of the husband shall at any time after the making of such order be increased, the Court may, if it is deemed proper, increase the amount payable under any such order.

(*c*)

(*c*) Such payments shall cease on the wife marrying again.

Interim alimony.

(2) The Court shall have the same power to make an order for the payment of interim alimony as in the case of an action for alimony.

Power of court to order settlement of wife's property.

4. If a judgment for divorce is pronounced by reason of the adultery of the wife and it appears that the wife is entitled to property either in possession or reversion, the Court may order such settlement as it thinks reasonable of her property or any part thereof for the benefit of the children of the marriage or their issue or any or either of them.

Power of court to make orders as to application of settled property.

5. If a judgment for divorce is pronounced and it appears that a marriage settlement has been made, the Court may make such order with reference to the application of the whole or any part of the property settled for the benefit of the children of the marriage as the Court may under all the circumstances of the case deem proper.

Power as to custody of children.

6.—(1) In any action for divorce the Court may from time to time and either before or after the judgment absolute, make such provision as appears to be just with regard to the custody, maintenance and education of the children of the marriage and may direct payment by either the father or the mother of such sum as may be necessary for the due care, maintenance and education of the children of the marriage.

Who may make application.

(2) An application under this section may be made by either husband or wife or by the children by their next friend either at the hearing of the case or upon summary application therein.

After divorce wife a *feme sole*.

7. After the granting of a judgment absolute of divorce the wife shall be regarded as a *feme sole* so far as her property and her right to contract are concerned.

Rules made confirmed with right to repeal, amend, etc.

8. The rules passed by the Judges of the Supreme Court relating to the conduct of matrimonial causes are confirmed and declared to have the same force and effect as if they were embodied in this Act, but the Judges may nevertheless from time to time pass rules for the repealing, amending or varying the same.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent and shall apply to all actions pending at the date when this Act comes into force.

CHAPTER

CHAPTER 26.

An Act to amend The Negligence Act, 1930.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Negligence Act, 1931.*

1930, c. 27, s. 3, amended.

2. Section 3 of *The Negligence Act, 1930* is amended by striking out the words "in any action founded upon the fault or negligence of two or more persons" in the first and second lines and inserting in lieu thereof the words "where damages have been caused or contributed to by the fault or neglect of two or more persons" so that the section shall now read as follows:

Extent of liability, remedy over.

3. Where damages have been caused or contributed to by the fault or neglect of two or more persons the court shall determine the degree in which each of such persons is at fault or negligent, and where two or more persons are found liable they shall be jointly and severally liable to the person suffering loss or damage for such fault or negligence, but as between themselves, in the absence of any contract express or implied, each shall be liable to make contribution and indemnify each other in the degree in which they are respectively found to be at fault or negligent.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 27.

An Act to amend The County Judges Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The County Judges Act, 1931.*

Rev. Stat. c. 90, ss. 4, 5, repealed.

2. Sections 4 and 5 of *The County Judges Act* are repealed and the following substituted therefor:

Junior judges in Wentworth, Carleton, Middlesex and Essex.

4. A junior judge may be appointed for each of the counties of Wentworth, Carleton and Middlesex and two junior judges may be appointed for the county of Essex.

County of York.

5. Junior judges not exceeding seven in number may be appointed for the county of York.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 28.

An Act to amend The Costs of Distress Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Costs of Distress Act, 1931.* Short title.

2. Sections 5 to 13 of *The Costs of Distress Act* are repealed. Rev. Stat. c. 110, ss. 5-13, repealed.

3. Section 14 of *The Costs of Distress Act* is repealed and the following substituted therefor: Rev. Stat. c. 110, s. 14, repealed.

14. No person aggrieved by a seizure or sale of goods under a chattel mortgage or by a distress for rent or for default in payment of any instalment of principal or interest secured by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest, shall be barred from any action or remedy which he would have had if this Act had not been passed. Right of action not affected.

4.—(1) Subsection 1 of section 15 of *The Costs of Distress Act* is amended by inserting after the words "chattel mortgage" in the fifth line the words "or for default in payment of any instalment of principal or interest secured by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest," so that the subsection shall now read as follows: Rev. Stat. c. 110, s. 15, subs. 1, amended.

(1) A person who makes a distress shall give a statement in writing of the demand, and of all the costs and expenses of the distress, signed by him, to the person on whose goods the distress is made, and a person who makes a seizure under a chattel mortgage or for default in payment of any instalment of principal or Furnishing statement of demand and costs.

interest

interest secured by any instrument under the terms of which the vendor retains the right to take possession of any chattel sold by him for default in payment of any instalment of principal or interest, shall give to the person in possession of the goods seized a statement in writing signed by him of the demand and of the costs charged in respect of the seizure and subsequent proceedings.

Rev. Stat. c. 110, s. 15 subs. 5, repealed.

(2) Subsection 5 of the said section 15 is repealed and the following substituted therefor:

Appeal.

(5) An appeal may be made from such taxation to a judge of the county or district court.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 29.

An Act to amend The Justices of the Peace Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Justices of the Peace Act, 1931.* Short title.

2. Sections 17 and 18 of *The Justices of the Peace Act* are repealed and the following substituted therefor: Rev. Stat., c. 118, ss. 17, 18 repealed.

17.—(1) Where a justice of the peace tries any offence,— Return of fines and penalties imposed; when and to whom to be made.

(*a*) under a municipal by-law, or

(*b*) in the territorial jurisdiction of a police magistrate where there is no police magistrate available,

he shall make a return in writing to the clerk of the peace on or before the second Tuesday in March, June, September and December in every year for the three months ending on the last day of the next preceding month, and such return shall show the disposition of every case or matter tried or dealt with by him and such return shall include the receipt and application by him of any moneys received by way of fine, forfeiture, penalty or damages from any person convicted.

(2) Every such return shall include all convictions and other matters not included in the previous return and also all cases where a fine or any part thereof has been paid since the last return, and in the column for observations shall be written the words "paid on case formerly returned." What matters to be included in return.

(3) In the case of a conviction before two or more justices present and joining therein they shall make the return forthwith. Where two justices act.

(4)

Filing and entry.

(4) All returns so received by the clerk of the peace shall be filed by him and shall be entered by him quarterly in a book to be kept for that purpose.

18. Where a justice of the peace or two or more justices of the peace act at the request of a police magistrate, the return provided for in the next preceding section shall be made to that police magistrate and shall be included in the return required to be made by him by any regulation made under *The Magistrates Act.*

Rev. Stat. c. 119.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 30.

An Act to amend The Summary Convictions Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Summary Convictions Act, 1931.*

Rev. Stat., c. 121, s. 7, amended.

2. Section 7 of *The Summary Convictions Act* is amended by adding thereto the following subsection:—

Transcription of evidence.

(2) Where the evidence in any case is taken down in shorthand there shall be no transcription of the evidence unless,—

(*a*) one of the parties to the case requires a transcription;

(*b*) an appeal is taken from the conviction or order; or

(*c*) the clerk of the peace requires a transcription to be made.

Rev. Stat., c. 121, s. 13, subs. 3, repealed.

3.—(1) Subsection 3 of section 13 of *The Summary Convictions Act* is repealed and the following substituted therefor:

Certiorari or motion therefor not to be granted where defendant has appealed.

(3) No such order or conviction and no order or conviction made on appeal therefrom shall be removed into the Supreme Court by a writ of *certiorari* or motion instead thereof if the defendant has appealed from such order or conviction to any court to which an appeal from such order or conviction is authorized by law.

Rev. Stat., c. 121, s. 13, amended.

(2) Section 13 of *The Summary Convictions Act* is amended by adding thereto the following subsection:

Costs of appeal.

(4) Where an appeal is taken to the judge of the county or district court or to the division court the judge may award reasonable costs to either party including counsel fees and all necessary disbursements.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 31.

An Act to amend The Coroners Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Coroners Act, 1931.*

Rev. Stat. c. 123, s. 2, amended.

2. Section 2 of *The Coroners Act* is amended by adding thereto the following subsection:

Supervising coroner,—appointment of.

(1*a*) The Lieutenant-Governor in Council may appoint a coroner who shall have jurisdiction throughout the Province and shall act in an advisory capacity to coroners generally and shall have such powers and perform such duties with respect to the office of coroner throughout the Province as the Lieutenant-Governor in Council may prescribe.

Rev. Stat. c. 123, amended.

3. *The Coroners Act* is amended by adding thereto the following section:

Travelling expenses, postage, forms, etc.

4*a*. In addition to the fees provided for by this Act, all reasonable and necessary travelling and other expenses incurred by the coroner and the cost of supplying the coroner's office with necessary postage, forms and stationery, shall be payable by the municipal corporation.

Rev. Stat. c. 123, s. 6, subs. 1, amended.

4.—(1) Subsection 1 of section 6 of *The Coroners Act* is amended by striking out the words "the coroner" in the eighth line and inserting in lieu thereof the words "a coroner."

Rev. Stat. c. 123, s. 6, subs. 4, amended.

(2) Subsection 4 of the said section 6 is amended by striking out the words "an expert" in the second line and inserting in lieu thereof the word "experts."

Rev. Stat. c. 123, s. 8, repealed.

5. Section 8 of *The Coroners Act* is repealed and the following substituted therefor:

Death due to events occurring beyond jurisdiction.

8. Where the death is believed to be the result of violence, misadventure or other matters occurring at a place beyond the jurisdiction of the coroner, he shall issue his warrant to take possession of the body as provided in section 6, and shall view the body and make such further inquiry as may be required to satisfy himself whether or not an inquest is necessary and if he finds that an inquest is necessary he may, with the consent of the Crown Attorney, at any time during the course of the proceedings transfer the inquest to the coroner having jurisdiction at such place and the inquest shall be conducted by such coroner as though the death had taken place in his jurisdiction and he had issued the warrant; but the coroner issuing the warrant may take evidence to prove the fact of death, the identity of the body and the *post mortem* examination of the body, and such evidence shall be transmitted to and received by the coroner holding the inquest as part of the proceedings before him.

Rev. Stat. c. 123, s. 10, amended.

6. Section 10 of *The Coroners Act* is amended by striking out the words "twenty cents" in the third line and inserting in lieu thereof the words "fifteen cents."

Rev. Stat. c. 123, s. 12, subs. 1, amended.

7.—(1) Subsection 1 of section 12 of *The Coroners Act* is amended by inserting the words "aeroplane, motor vehicle, boat, machine, apparatus," after the word "embankment" in the fourth line, so that the subsection shall now read as follows:

Power of coroner to take charge of wreckage.

(1) Where a coroner has ordered an inquest upon the body of a person who has met death by violence in the wreck of a building, bridge, structure, embankment, aeroplane, motor vehicle, boat, machine, apparatus or railway train, the coroner may take charge of all wreckage and place a constable or constables in charge thereof so as to prevent persons from disturbing such wreckage until the jury at the inquest has viewed the same, or the coroner, where there is no jury, has made such examination as he deems necessary.

Rev. Stat. c. 123, s. 12, amended.

(2) The said section 12 is amended by adding thereto the following subsection:

Interfering with wreckage.

(4) Where a death has occurred in the wreck of a building, bridge, structure, embankment, aeroplane, motor vehicle, boat, machine, apparatus or railway train every person who, except for the purpose of saving life or relieving human suffering, without authority

from

from the coroner, interferes with, destroys or carries away, or alters the position of such wreckage or any part thereof, or anything in any way connected therewith, shall incur a penalty of not less than $25 nor more than $100, and where it appears that the offence was committed wilfully and with the intention of making away with or destroying evidence, the person committing such offence shall be liable to imprisonment for a period not exceeding six months.

8. *The Coroners Act* is amended by adding thereto the following section: Rev. Stat. c. 123, amended.

16*a*.—(1) The coroner may grant to any person who attends and gives evidence at his instance, such sum in addition to ordinary witness fees as he may deem reasonable and sufficient to compensate the witness for preparing a plan, furnishing any article or doing any work for use at the inquest, for his costs and charges in preparing such plan, furnishing such article or doing such work, and upon the fiat of the Attorney-General may direct the payment of a special fee to an expert witness. Fees for special services.

(2) Such costs and expenses or special fee shall be borne and paid in the same manner as the other expenses of holding an inquest. How costs etc. to be borne and paid.

9.—(1) Subsection 1 of section 19 of *The Coroners Act* is amended by adding at the end thereof the words "in addition to the medical practitioner making the *post mortem* examination," so that the subsection shall now read as follows: Rev. Stat. c. 123, s. 19, subs. 1, amended.

(1) The coroner may issue his warrant for the attendance before him or at the inquest of the legally qualified medical practitioner, if any, who attended the deceased at his death, or during his last illness, or of any other legally qualified medical practitioner, in or near the place where the death occurred, but he shall not without the consent of the Crown Attorney, order the attendance of more than one medical practitioner in addition to the medical practitioner making the *post mortem* examination. Calling medical attendant of deceased

(2) Subsection 2 of the said section 19 is amended by striking out the words "twenty cents" in the third line and inserting in lieu thereof the words "fifteen cents." Rev. Stat. c. 123, s. 19, subs. 2, amended.

10. Subsection 1 of section 24 of *The Coroners Act* is amended by striking out the words "ten cents" in the fifth and sixth lines and inserting in lieu thereof the words "fifteen cents." Rev. Stat. c. 123, s. 24, subs. 1, amended.

Rev. Stat. c. 123, s. 25, amended.

11. Section 25 of *The Coroners Act* is amended by striking out the words "in writing" in the third line, and by adding at the end of the said section the words "but where the consent of the Crown Attorney is given verbally he shall as soon as convenient confirm the same in writing to the coroner," so that the section shall now read as follows:

Viewing of body may be dispensed with.

25. It shall not be necessary for a jury to view the body upon which an inquest is being held when the coroner, with the consent of the Crown Attorney, directs that the viewing of the body shall be dispensed with but where the consent of the Crown Attorney is given verbally he shall as soon as convenient confirm the same in writing to the coroner.

Rev. Stat., c. 123, amended.

12. *The Coroners Act* is amended by adding thereto the following section:

Seal not necessary.

46. In all proceedings under this Act it shall not be necessary for any coroner or other person to attach or affix any seal to any inquisition, document or process, and no inquisition, document or process shall be invalidated by reason of the lack of a seal even though the inquisition, document or process purports to be sealed.

Rev. Stat. c. 123, sched. "A." item d, repealed.

13. Item *d* in schedule "A" to *The Coroners Act* is repealed and the following substituted therefor:

(*d*) Necessary travel, per mile.....$	.15
When by railway, per mile.....	.10

Commencement of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 32.

An Act to amend The Devolution of Estates Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Devolution of Estates Act, 1931.* Short title.

2.—(1) Subsection 1 of section 12 of *The Devolution of Estates Act* is amended by inserting after the word "Act" in the sixth line the words and figures "and subject to subsections 6 and 7 of section 55 of *The Registry Act*," so that the subsection shall now read as follows: Rev. Stat., c. 148, s. 12, subs. 1, amended.

(1) Real property not disposed of, conveyed to, divided or distributed among the persons beneficially entitled thereto, under the provisions of section 20, by the personal representative within three years after the death of the deceased shall, subject to *The Land Titles Act* in the case of land registered under that Act, and subject to subsections 6 and 7 of section 55 of *The Registry Act* and subject as hereinafter provided, at the expiration of that period, whether probate or letters of administration have or have not been taken, be thenceforth vested in the persons beneficially entitled thereto under the will or upon the intestacy or their assigns without any conveyance by the personal representative unless such personal representative, if any, has registered in the proper registry or land titles office, a caution, Form I, under his hand, and if such caution is so registered such real property or the part thereof mentioned therein shall not be so vested for twelve months from the time of registration of such caution or of the last caution if more than one are registered. Vesting of real estate not disposed of within three years.

(2) Subsection 7 of the said section 12 is amended by striking out all the words after the word "situate" in the thirteenth line. Rev. Stat., c. 148, s. 12, subs. 7, amended.

3.

Rev. Stat., c. 148, s. 20, subs. 2, amended.

3. Subsection 2 of section 20 of *The Devolution of Estates Act* is amended by inserting at the commencement thereof the words "Except with the approval of the majority of the persons beneficially entitled thereto, including the Official Guardian acting on behalf of an infant or lunatic."

Rev. Stat., c. 148, s. 24, subs. 1, amended.

4. Subsection 1 of section 24 of *The Devolution of Estates Act* is amended by striking out the clause lettered *b* and inserting in lieu thereof the following:

(*b*) power with the approval of the majority of the persons beneficially entitled thereto, including the Official Guardian acting on behalf of an infant or lunatic, to lease for a longer term;

so that the subsection shall now read as follows:

Powers of personal representatives as to leasing and mortgaging.

(1) The powers of a personal representative under this Act shall include

(*a*) power to lease from year to year while the real property remains vested in him;

(*b*) power with the approval of the majority of the persons beneficially entitled thereto, including the Official Guardian acting on behalf of an infant or lunatic, to lease for a longer term;

(*c*) power to mortgage for the payment of debts.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 33.

An Act to amend The Married Women's Property Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Married Women's Property Act, 1931.* Short title.

2. Section 3 of *The Married Women's Property Act* is amended by adding thereto the following subsection: Rev. Stat., c. 182, s. 3, amended.

(2) An action shall not lie against a husband for any tort committed by his wife before or after marriage nor shall he be joined in any action against his wife to recover damages for any tort committed by her. Husband not responsible for wife's torts.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 34.

An Act to make better provision for the Maintenance of Minor Children.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Children's Maintenance Act, 1931.*

Liability of parent for maintenance of child.

2. Every parent shall be liable for the maintenance and education of his infant child under the age of sixteen years, regard being had to his station in life and means and to the ability of the child to maintain himself.

Penalty.

3. Any parent failing, without lawful excuse, to provide for the maintenance and education of his child according to his ability and the need of the child shall be liable, upon summary conviction, to imprisonment for not more than three months.

Medical Attendance

4. Nothing in this Act shall be construed as compelling any special remedial treatment for any child contrary to the objection of the parent, guardian or person acting in *loco parentis.*

Commencement of Act.

5. This Act shall come into force on the 1st day of June, 1931.

CHAPTER 35.

An Act to make Uniform the Law respecting Assignments of Book Debts.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Assignment of Book Debts Act, 1931.* Short title.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) "Assignee" means any person to whom an assignment of book debts is made; "Assignee."

(*b*) "Assignment" includes every legal and equitable assignment, whether absolute or by way of security, and every mortgage or other charge upon book debts; "Assignment."

(*c*) "Assignor" means any person making an assignment of book debts; "Assignor."

(*d*) "Book debts" means all such accounts and debts whether existing or future as in the ordinary course of business would be entered in books, whether actually entered or not, and includes any part or class thereof; "Book debts."

(*e*) "Creditors" means creditors of the assignor, whether execution creditors or not, who become creditors before the registration of an assignment, and, for the purpose of enforcing the rights of such creditors but not otherwise, includes a creditor suing on behalf of himself and other creditors, an assignee for the general benefit of creditors, a trustee under the *Bankruptcy Act* and a liquidator of a company under the *Winding-up Act* of Canada or under a Provincial Act containing provisions for the winding-up of companies, without regard to the time when the "Creditors." R.S.C., cc. 11, 213.

creditor

creditor so suing becomes a creditor, or when the assignee, trustee or liquidator is appointed;

"Proper officer." (*f*) "Proper Officer" means the officer in whose office assignments are required to be registered in any registration district;

"Registered." (*g*) "Registered" means filed in accordance with the provisions of this Act;

"Registration district." (*h*) "Registration district" means a district established under this Act for the registration of assignments;

"Subsequent purchasers." (*i*) "Subsequent purchasers" includes any person who in good faith for valuable consideration and without notice obtains by assignment, an interest in book debts which have already been assigned;

"Valuable consideration." (*j*) "Valuable consideration" includes,—

(i) any consideration sufficient to support a simple contract;

(ii) an antecedent debt or liability.

Application of Act. **3.** This Act shall not apply to,—

(*a*) any assignment of book debts, whether specific or by way of floating charge, made by a corporation and contained,—

(i) in a trust deed or other like instrument to secure bonds, debentures, or debenture stock of the corporation;

(ii) in any bonds, debentures, or debenture stock of the corporation, as well as in the trust deed or other like instrument securing the same; or

(iii) in any bonds, debentures, or debenture stock or any series of bonds or debentures of the corporation not secured by any trust deed or other like instrument;

(*b*) any assignment of book debts due at the date of the assignment from specified debtors;

(*c*) any assignment of debts growing due under specified contracts;

(*d*)

(*d*) any assignment of book debts included in a transfer of a business made *bona fide* and for value;

(*e*) any assignment of book debts, included in any authorized assignment under the *Bankruptcy Act*. R.S.C., c. 11.

Requirements as to assignment.

4.—(1) Save as herein provided every assignment of book debts made by any person engaged in a trade or business shall be absolutely void as against the creditors of the assignor and as against the subsequent purchasers unless such assignment is,—

(*a*) in writing;

(*b*) accompanied by an affidavit of an attesting witness or affidavits of attesting witnesses, of the execution thereof by the assignor, or by the assignors respectively, identifying the assignment and stating the date of execution by the assignor, or the respective dates of execution by the assignors, as the case may be, and a further affidavit of the assignee or one of the several assignees, his or their agent, stating that the assignment was executed in good faith and for valuable consideration and not for the purpose of protecting the book debts therein mentioned against the creditors of the assignor or for the purpose of preventing such creditors from recovering any claims which they have against the assignor;

(*c*) registered, as hereinafter provided, together with the affidavits within thirty days of the execution of the assignment.

Two or more assignors.

(2) If there are two or more assignors, the date of execution of the assignment shall be deemed to be the date of the execution by the assignor who last executes it.

To have effect from registration.

(3) Every assignment which is required to be in writing and to be registered under this Act shall, as against creditors and subsequent purchasers, take effect only from the time of the registration of the assignment.

How registration to be effected.

5.—(1) Registration of an assignment under this Act shall be effected by filing the assignment together with such affidavits as are by this Act required, within thirty days from its execution, in the office of the proper officer of a registration district determined in accordance with the following rules:

(*a*) Where the assignor is a corporation incorporated under the laws of Ontario, in the registration district in which the head office or registered office is situate;

(*b*)

(*b*) Where the assignor is an extra-provincial corporation having a head office or registered office within Ontario, in the registration district in which such head office or registered office is situate;

(*c*) Where the assignor is an extra-provincial corporation not having a head office or registered office within Ontario in any registration district in which the assignor carries on business;

(*d*) Where the assignor is not a corporation, in the registration district in which the assignor carries on business at the time of the execution of the assignment;

(*e*) Where the assignor is not a corporation, and at the time of the execution of the assignment carries on business in different registration districts, in any such registration district, and by filing a duplicate original of the assignment and affidavits, or a copy thereof, certified by the proper officer of that registration district, in each of the other registration districts.

Assignments to be numbered.

(2) The proper officer shall cause every assignment filed in his office to be numbered, to be endorsed with a memorandum of the day, hour and minute of filing, and to be indexed by entering in alphabetical order in a register kept by him, the names of the parties to the assignment with their descriptions and the dates of execution and registration of the assignment.

Where registration expires on Sunday.

(3) Where the time for registration of any assignment or other document expires on a Sunday or other day on which the office in which the registration is to be made is closed, the registration shall, so far as regards the time of registration, be valid if made on the next following day on which the office is open.

Discharge of assignment.

6.—(1) An assignment registered under this Act may be discharged in whole or in part by the registration in the office in which the same is registered of a certificate of discharge, signed by the assignee, his executors, administrators, or assigns, and accompanied by an affidavit of an attesting witness of the due execution thereof.

Noting discharge.

(2) The proper officer in whose office a certificate of discharge accompanied by the affidavit of execution is registered, shall note the fact of such discharge against each entry in the books of his office respecting the registration of the assign-

ment,

ment, and shall make a like notation upon the assignment or copy registered in his office.

Noting discharge in two or more registration districts.

(3) If there are two or more assignors residing in different registration districts affected by the discharge, the registration may be effected either by filing a duplicate or other original of the certificate of discharge and affidavit of execution in the office of the proper officer in each of the registration districts, or by filing the certificate of discharge and affidavit of execution in one of the registration districts and by filing a certificate of the entry of the discharge therein, signed by the proper officer of that registration district in the office of the proper officer of each of the other registration districts and each proper officer shall make the like notations of the discharge in the records of his office as are provided by subsection 2.

Certificate of entry of discharge.

(4) The proper officer in whose office the certificate of discharge is registered shall on request furnish a certificate of the entry of the discharge in the records of his office.

Inspection of records.

7. Upon payment of the prescribed fees every person shall have access to and be entitled to inspect the books of any proper officer containing records or entries of assignments or documents registered or filed under the provisions of this Act, and no person shall be required, as a condition of his right thereto, to disclose the name of the person in respect of whom such access or inspection is sought, and every proper officer shall, upon request accompanied by payment of the prescribed fees, produce for inspection any assignment or document so registered or filed in his office.

Registration districts and offices.

8. For the purpose of registration of assignments or other documents each county and provisional judicial district in Ontario shall be a registration district and the clerk of the county or district court shall be the proper officer for the registration of assignments or documents in that registration district.

Taking affidavits.

9.—(1) Affidavits required by this Act may be taken and made before the proper officer of any registration district or before any person, whether within or without Ontario, authorized to take affidavits in or concerning any cause, matter or thing pending in any court in Ontario.

Registration not affected by interest of solicitor.

(2) No registered assignment or other document shall be held to be defective or void solely on the ground that any affidavit required by this Act was taken and made before a solicitor for any of the parties to the assignment or other document, or before a partner of such solicitor, or before a clerk in the office of such solicitor.

10.

Affidavit in case of death of assignee.

10. Any affidavit required by this Act to be made by an assignee may, in the event of his death be made by his executor or administrator or by any of his next-of-kin or by the duly authorized agent of the executor or administrator.

Affidavit on behalf of corporation.

11. Where the assignee is a corporation, every affidavit required or permitted by this Act to be made or given by the corporation as such assignee may be made or given by any officer, employee or agent of the corporation.

Affidavit of agent or officer.

12. Any affidavit made for the purposes of this Act by the agent of an assignee, or of an executor or administrator, or by an officer, employee or agent of a corporation, shall state that the deponent is aware of the circumstances connected with the assignment, and that he has a personal knowledge of the facts deposed to.

No affidavit of execution by corporation.

13. Where an assignment or certificate of discharge or other document has been executed by a corporation under the provisions of this Act no affidavit of an attesting witness shall be required.

Power of judge to permit proof of execution otherwise than by affidavit of witness.

14. In case, before the making of any affidavit of execution required by this Act, the attesting witness to an assignment, certificate of discharge or other document dies or leaves Ontario, or becomes incapable of making, or refuses to make such affidavit, the judge of the county or district court may make an order permitting the registration of the assignment, certificate of discharge or other document, upon such proof of its due execution and attestation as the judge, by the order, may require and allow. The order, or a copy thereof, shall be annexed to the assignment, certificate of discharge, or other document, as the case may be, and filed therewith, and the registration of the assignment, certificate of discharge or other document under and in compliance with the terms of the order, shall have the like effect as the registration thereof with the affidavit of execution otherwise required by this Act.

Rectification of omissions and misstatements.

15. Subject to the rights of other persons accrued by reason of any omission or misstatement referred to in this section, the judge of the county or district court on being satisfied that the omission to register an assignment within the time prescribed by this Act, or any omission or misstatement in any document filed under this Act, was accidental or due to inadvertence or impossibility, or other sufficient cause, may, in his discretion, extend the time for registration, or order the omission or misstatement to be rectified, on such terms and conditions, if any, as to security, notice by advertisement or otherwise, or as to any other

matter

matter or thing as the judge thinks fit to direct. The order, or a copy thereof, made under this section shall be annexed to the assignment or copy thereof on file or tendered for registration and appropriate entries shall be made in the register.

Defects and irregularities.

16. No defect or irregularity in the execution or attestation of an assignment, or other document, no defect, irregularity or omission in any affidavit accompanying an assignment or filed in connection with its registration, and no error of a clerical nature or in an immaterial or non-essential part of an assignment shall invalidate or destroy the effect of the assignment or the registration thereof, unless in the opinion of the court or judge before whom a question relating thereto is tried such defect, irregularity, omission, or error has actually misled some person whose interests are affected by the assignment.

Evidence of records.

17. Copies of an assignment, certificate of discharge or other document registered or filed under this Act certified by the proper officer shall be received as *prima facie* evidence for all purposes as if the original assignment or document were produced and also as *prima facie* evidence of the execution of the original assignment or document according to the purport of such copy, and the certificate of the proper officer shall also be *prima facie* evidence of the date and hour of registration and filing.

Fees.

18. For services under this Act each proper officer shall be entitled to receive the following fees:

1. For filing and registering an assignment,—fifty cents.
2. For filing and registering a certificate of discharge,—twenty-five cents.
3. For a general search,—fifty cents.
4. For any certificate of registration or discharge or other certificate for purposes of this Act,—twenty-five cents.
5. For copy of any document filed under this Act, including certificate, every 100 words,—ten cents.

Uniform construction of Act.

19. This Act shall be so interpreted and construed as to effect its general purpose of making uniform the law of those Provinces which enact it.

Rev. Stat., c. 166, repealed.

20. *The Assignment of Book Debts Act*, being chapter 166 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

21. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

CHAPTER

CHAPTER 36.

An Act to amend The Apprenticeship Act, 1928.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Apprenticeship Act, 1931.*

1928, c. 25, s. 2, cl. *b*, repealed.

2. The clause lettered *b* in section 2 of *The Apprenticeship Act, 1928*, is repealed and the following substituted therefor:

"Employer."

(*b*) "Employer" shall mean and include any person, firm or corporation, or municipal, provincial or other public authority to whom an apprentice is, or may be at any time bound in accordance with this Act, by contract of apprenticeship in any designated trade.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 37.

An Act to amend The Workmen's Compensation Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Workmen's Compensation Act, 1931.*

Rev. Stat., c. 179, sched. 3, amended.

2. Schedule 3 to *The Workmen's Compensation Act* is amended by striking out the words "Miners' Phthisis" in the first column, and the word "Mining" in the second column.

Commencement of Act.

3. This Act shall come into force on the 1st day of January, 1932.

CHAPTER

CHAPTER 38.

An Act to provide for Compensation to Blind Workmen for Injuries Sustained and Industrial Diseases Contracted in the course of their Employment.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Blind Workmen's Compensation Act, 1931.*

Interpretation.

2. In this Act,—

"Blind workman."

(*a*) "Blind workman" shall mean a workman as defined by *The Workmen's Compensation Act* possessing a central visual acuity in his better eye reading 6-60 or 20-200 or less;

"Board."

(*b*) "Board" shall mean the Workmen's Compensation Board;

"Department."

(*c*) "Department" shall mean the Department of the Provincial Treasurer;

"Employer."

(*d*) "Employer" shall mean an employer as defined by *The Workmen's Compensation Act* who has in his employ a blind workman;

"Full cost of compensation."

(*e*) "Full cost of compensation" shall mean and include compensation, burial expenses, the cost of furnishing medical aid and all other amounts payable under or by virtue of Part I of *The Workmen's Compensation Act* by reason of a blind workman meeting with an accident for which he would be entitled to compensation under the said Act, and shall include the capitalized sum or present value of the sum required as determined by the Board to provide for future payments of compensation to the pensioner or his dependants.

(*f*)

(*f*) "Institute" shall mean the Canadian National Institute for the Blind with head office situated in the city of Toronto. "Institute."

3. Where the full cost of compensation exceeds $50, the Department shall in the case of industries coming under Schedule 1 of *The Workmen's Compensation Act* pay the same to the Board by way of reimbursement to the accident fund as defined by the said Act; and in the case of industries coming under Schedule 2, pay the same to the employer, such payment or payments to be made out of the Consolidated Revenue Fund upon receiving from the Board a certificate of the full cost of compensation, which certificate may be accepted by the Department without further proof. Reimbursement to employers.

4. In making any award to a blind workman for injury by accident under *The Workmen's Compensation Act*, the Board may have regard to any previous awards made him for injury under the said Act. Prior awards. Rev. Stat. c. 179.

5. The assessment on an employer to be levied by the Board on the wages of a blind workman may be fixed by the Board at such an amount as may be deemed fair, having regard to the provisions of *The Workmen's Compensation Act.* Assessments.

6.—(1) Subject to the provisions of subsection 2 the Institute shall have exclusive jurisdiction as to the nature of the work a blind workman shall do and as to the proper placement of such workman. Proper placement.

(2) Upon the recommendation of the Board the Lieutenant-Governor in Council may designate any other organization or institution to execute the powers and perform the duties assigned to the Institute under this Act and thereupon this Act shall be read as though the name of the organization or institution was substituted for the Institute. Assignment of powers and duties of the Institute to other organizations.

7. An employer giving employment to a blind workman without the consent or approval of the Institute, or changing the nature of such employment once approved by the Institute without the consent or approval of the Institute, shall be deemed to have waived all right to the benefit of this Act in respect to injury to such blind workman. Waiver of rights in case of improper placement.

8. Officers of the Institute shall have access at all times to the place of employment of a blind workman with the knowledge and consent of the superintendent or foreman. Access to blind workman.

9. The Institute shall provide the Board, upon request, with all such certificates or other material as may be required by the Board in the fulfilment of its duties. Certificates or other requisitions.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 39.

An Act to amend The Anatomy Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Anatomy Act, 1931.*

Rev. Stat. c. 197, s. 4, subs. 2, repealed.

2. Subsection 2 of section 4 of *The Anatomy Act* is repealed and the following substituted therefor:

Limit as to amount of council's liability for expense.

(2) Where the body of a person who dies in a county house of refuge is delivered to a county councillor as provided by subsection 2 of section 3 the body shall be decently interred and the county shall bear the expense of burial to the extent of $30.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 40.

An Act to amend The Dentistry Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Dentistry Act, 1931.* Short title.

2. Subsection 2 of section 3 of *The Dentistry Act* is amended by striking out all the words after the words "Minister of Education" in the third line and inserting in lieu thereof the words "and the Minister of Health for the Province of Ontario who shall be *ex officio* members of the Board," so that the subsection shall now read as follows: Rev. Stat. c. 198, s. 3, subs. 2 amended.

(2) The Board shall consist of nine elected members each of whom shall be a member of the College and shall hold office for two years and the Minister of Education and the Minister of Health for the Province of Ontario who shall be *ex officio* members of the Board. Number of members of Board.

3. Subsection 3 of section 20 of *The Dentistry Act* is amended by adding at the end thereof the words "as may be prescribed by by-law of the Board and recoverable in the same manner as the annual fee as set out in subsection 1," so that the subsection shall now read as follows: Rev. Stat. c. 198, s. 20, subs. 3, amended.

(3) Where default is made in payment of the annual fee and such default continues for a period of one month the license of a member so in default shall lapse but such license may be renewed thereafter upon payment of the fee and an additional sum not exceeding $10 as may be prescribed by by-law of the Board and recoverable in the same manner as the annual fee as set out in subsection 1 Default in payment of fee.

4.—(1) Subsection 1 of section 21 of *The Dentistry Act* is amended by striking out after the word "person" in the fourth line, Rev. Stat. c. 198, s. 21, subs. 1, amended.

line, the words "for hire, gain or hope of reward, whether by way of fees, salary, rent, percentage of receipts, or in any other form," so that the subsection shall now read as follows:

Prohibition against practising without certificates.

(1) No person who is not a member of the College shall, by himself or by any other person, practise the profession of dental surgery, or perform any dental operation upon or prescribe any dental treatment for any person, or shall pretend to hold or take or use any name, title, addition, or description implying that he holds a certificate of license to practise dental surgery, or that he is a member of the College, or shall falsely represent or use any title representing that he is a graduate of any dental college or any title or description whatsoever which implies that he practises dentistry or any branch of dentistry or which contains the words "dentist," "dentistry," "dental," or any derivative of any such word or any letters, signs or abbreviation having the like significance.

Or using designation.

Rev. Stat. c. 198, s. 21, subs. 2, amended.

(2) Subsection 2 of the said section 21 is amended by inserting after the word "dentistry" in the third line the words "or give instructions or courses in practise management without the consent of the Board," so that the subsection shall now read as follows:

Prohibition as to persons other than college establishing college, etc.

(2) No person, other than the College, shall carry on in Ontario any school, college, laboratory, or other institution for training or imparting instruction in any branch of dentistry or give instructions or courses in practise management without the consent of the Board, but this shall not apply to any faculty of dentistry in a university in Ontario.

Rev. Stat. c. 198, s. 21, subs. 3, repealed.

(3) Subsection 3 of the said section 21 is repealed and the following substituted therefor:

Penalties.

(3) Every person who contravenes any of the provisions of this section shall for the first offence incur a penalty of $100, for the second offence a penalty of $200, and for every subsequent offence a penalty of $500, and he shall not be entitled to sue or recover in any court for any services which he performed or materials which he provided in the ordinary and customary work of a dental surgeon.

Rev. Stat. c. 198, s. 23, subs. 1, amended.

5. Subsection 1 of section 23 of *The Dentistry Act* is amended by inserting after the word "respect" in the sixth line the words "and such infamous, disgraceful or improper

conduct

conduct in a professional respect shall be deemed to include fraudulent and exorbitant charging of fees," so that the subsection shall now read as follows:

(1) The Board may suspend or cancel the certificate of license of a member of the College who has been heretofore or shall hereafter be convicted in Canada or elsewhere of an indictable offence if his conviction remains unreversed, or who has been or shall be guilty of any infamous, disgraceful or improper conduct in a professional respect, and such infamous, disgraceful or improper conduct in a professional respect shall be deemed to include fraudulent and exorbitant charging of fees; but this power shall not be exercised if the conviction is for a political offence committed out of His Majesty's Dominions, or for an offence which, though indictable ought not, either from its nature or from the circumstances under which it was committed, to disqualify the person convicted from practising dentistry. Power of Board to suspend or cancel certificates.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 41.

An Act respecting Land Surveyors.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Land Surveyors Act, 1931.*

INTERPRETATION.

Interpretation.

2. In this Act,—

"Minister."

(*a*) "Minister" shall mean the Minister of Lands and Forests;

"Surveyor."

(*b*) "Surveyor" shall mean Ontario Land Surveyor. R.S.O. 1927, c. 201, s. 1.

REGISTRATION OF LAND SURVEYORS.

Who may act as a land surveyor.

3.—(1) No person shall act as a surveyor of land in Ontario for the purpose of establishing, locating, defining or describing any limit, boundary or angle whatsoever of any township, city, town, village, concession, section, block, gore, reserve, common, lot, mining claim, mining location, or other parcel of land unless authorized to practise as a Land Surveyor according to the provisions of this Act, or so authorized before the passing thereof according to the laws then in force, and unless registered under the provisions of this Act. R.S.O. 1927, c. 201, s. 2 (1), *amended.*

Penalty.

(2) Any person who contravenes this section shall incur a penalty of $40. R.S.O. 1927, c. 201, s. 2 (2).

ASSOCIATION OF ONTARIO LAND SURVEYORS.

Association continued.

4.—(1) The Association of Ontario Land Surveyors hereinafter called "the Association" is hereby continued and all

persons

persons who are now members of the Association shall continue to be members thereof subject to the by-laws of the Association and the provisions of this Act.

New members.

(2) All persons duly authorized to practise as land surveyors shall, upon becoming duly registered as hereinafter provided, become members of the Association. R.S.O. 1927, c. 201, s. 3.

Fines and fees.

5. All fines and fees payable under this Act or under any by-law of the Association shall belong to the Association. R.S.O. 1927, c. 201, s. 5.

Powers as to real estate.

6. The Association may purchase, take and possess for the purposes of the Association, but for no other purpose, and after acquiring the same may sell, mortgage, lease, or dispose of any real estate. R.S.O. 1927, c. 201, s. 4.

Council of management.

7.—(1) There shall be a council of management of the Association, hereinafter called the "Council" consisting of the Minister, the president and the vice-president of the Association, and six other elective members to be elected and hold office as hereinafter provided. R.S.O. 1927, c. 201, s. 7 (1).

Chairman and officers.

(2) The council shall elect annually one of its members as chairman, and may appoint from among the members of the Association such other officers as may be deemed necessary for carrying out the objects of this Act, and such appointed officers shall hold office during the pleasure of the council. R.S.O. 1927, c. 201, s. 7 (2), *amended*.

Investments.

8. The council may invest, in the name of the Association, any moneys of the Association in such securities as trustees may properly invest in, and the income derived therefrom shall form part of the ordinary income of the Association. R.S.O. 1927, c. 201, s. 49 (2), *amended*.

By-laws.

9.—(1) The Association may pass by-laws for:

(*a*) the government, discipline and honour of its members;

(*b*) the management of its property;

(*c*) the examination and admission of candidates for the study or practice of the profession; and

(*d*) all such other purposes as may be necessary for carrying out the objects of the Association.

Ratification.

(2) All by-laws shall be passed by the council and shall be ratified by the Association at the next annual general meeting or at a special general meeting called for the purpose. R.S.O. 1927, c. 201, s. 6.

10.

Annual general meeting.

10.—(1) The annual general meeting of the Association shall be held in the city of Toronto on the third Tuesday of February in each year at such place as the council may appoint. R.S.O. 1927, c. 201, s. 8 (1).

Special general meeting.

(2) Upon the written request of any ten members of the Association in good standing or of the council, the president or in his absence the vice-president may call a special general meeting to be held in the city of Toronto at a time not more than thirty days after the receipt of such request. *New.*

Notice.

(3) Notice of any such meeting shall be given by the secretary-treasurer to each member of the Association by letter posted to his registered address at least fourteen days before such meeting. R.S.O. 1927, c. 201, s. 8 (2), *amended.*

ELECTION OF OFFICERS.

Election of President and Officers of the Association

11.—(1) The members of the Association shall elect annually from their number by sealed ballot (Form 1) the president, vice-president, secretary-treasurer and two auditors who shall hold office for one year from the termination of the annual general meeting, or until their successors in office have been elected, and two members of the council who shall hold office for three years from the termination of the annual general meeting, or until their successors in office have been elected. R.S.O. 1927, c. 201, s. 9 (1), *amended.*

(2) No person shall be eligible for election to any office or to the council or qualified to fill any vacancy thereon or for appointment by the council to any office unless his fees have been paid and he is duly qualified under the provisions of this Act and the by-laws of the Association. R.S.O. 1927, c. 201, s. 15 (2).

Nominating Committee.

12.—(1) A nominating committee of five members of the Association in good standing other than members of the council of management shall be elected by ballot at each annual general meeting to hold office until the next annual general meeting and it shall be the duty of such nominating committee to nominate before the 1st day of December in each year at least as many elegible members for each position as are required to be elected in accordance with the provisions of section 10.

(2) The presiding officer at the meeting at which the nominating committee is elected shall appoint two scrutineers to count the votes cast for members of the nominating committee, and he shall have the casting vote in the case of a tie, and shall appoint one of the members elected to act as chairman and convener of the committee. *New.*

Nominations.

13.—(1) The chairman of the nominating committee shall forthwith after the 30th day of November in each year forward to the secretary-treasurer, by registered mail, the list of persons nominated and the secretary-treasurer shall on or before the 10th day of December in that year mail a copy of the said list to each member of the Association at his registered address.

(2) Any ten members of the Association in good standing may, by registered letter delivered to the secretary at his office on or before the 31st day of December, require the secretary to add to the list of persons nominated the name or names of any other eligible members, and the names of the members so added, with the names of the members chosen by the nominating committee, shall be placed by the secretary on the ballot paper (Form 1). *New.*

Distribution and return of ballots.

14.—(1) The ballot papers shall be mailed by the secretary-treasurer to each member of the Association at his registered address at least fourteen days before the annual meeting and shall be returned to the secretary-treasurer in a sealed envelope not later than 10 o'clock in the forenoon of the day prior to the annual general meeting.

Scrutineers.

(2) Two scrutineers shall be appointed by the president to examine and count the votes.

Counting ballots.

(3) The ballot papers shall on the day prior to the annual meeting be opened by the secretary-treasurer in the presence of the scrutineers who shall examine and count the votes cast for the various candidates and keep a record thereof in a book provided for that purpose by the council. *New.*

Qualification of voters.

15.—(1) The persons qualified to vote shall be such persons as are members of the Association and have paid all fees due from them to the Association. R.S.O. 1927, c. 201, s. 15 (1).

Where voting paper has too many names.

(2) In the event of an elector placing more than the required number of names upon the voting paper for members of the council the first names only not exceeding the required number shall be counted. R.S.O. 1927, c. 201, s. 14.

Who may be present at counting of votes.

(3) Any person entitled to vote at the election may be present at the counting of the votes. R.S.O. 1927, c. 201, s. 12 (2).

Result of elections.

16.—(1) The qualified persons who have the highest number of votes shall be declared elected. R.S.O. 1927, c. 201, s. 12 (3).

(2) In the case of equality of votes between two or more persons which leaves the election of one or more officers or members of the council undecided, the scrutineers shall forth-

with

with put into a ballot box a number of papers with the names of the candidates respectively having such equality of votes written thereon, one for each candidate, and the secretary-treasurer shall draw from the ballot box, in the presence of the scrutineers, one or more of the papers sufficient to make up the required number, and the person or persons whose name or names are upon the papers so drawn shall be the officer or officers or the member or members of the council, as the case may be. R.S.O. 1927, c. 201, s. 13 (1), *amended*.

Result of election to be reported.

17. Upon the completion of the counting of the votes the secretary-treasurer shall report the result of the election in writing signed by himself and the scrutineers to the president who shall announce the same at the annual general meeting. R.S.O. 1927, c. 201, s. 13 (2), *amended*.

Vacancies.

18. In the case of the resignation, death or dismissal of the president, vice-president, or any elective member of the council the other members of the council shall have power to fill any vacancy so caused, and the person so appointed shall hold office for the unexpired portion of the term. R.S.O. 1927, c. 201, s. 16 (2).

Disputed elections.

19. In case of doubt or dispute as to who has been elected or as to the legality of the election, the duly elected officers and members shall be a committee, to enquire and decide the doubt or dispute, and the persons whom they decide to have been elected shall be deemed to have been duly elected and if the election is found to have been illegal the committee shall order a new election. R.S.O. 1927, c. 201, s. 17.

BOARD OF EXAMINERS.

Board of Examiners.

20.—(1) There shall be a board of examiners hereinafter called "the board" for the examination of candidates as hereinafter provided. R.S.O. 1927, c. 201, s. 18 (1), *amended*.

Of whom the Board is to consist.

(2) The board shall consist of the chairman of the council, the secretary-treasurer, four other members of the Association to be appointed by the council and two to be appointed by the Lieutenant-Governor in Council.

Term of office.

(3) The six members to be so appointed shall hold office for three years.

To supply vacancies.

(4) In the case of resignation, death or inability to act of any member of the board, the Lieutenant-Governor in Council if such member was appointed by him, and the council if such member was appointed by it, shall appoint a member of the Association to be a member of the board of examiners for the unexpired portion of the term.

(5) The chairman of the council shall be the chairman of the board and three members of the board shall form a quorum. Chairman, quorum

(6) The council may also appoint competent persons to assist the board in any of the subjects of examination, and may fix the expenses and fees to be paid to any of the examiners, subject to the restrictions hereinafter contained in respect of payments to members of the board. Examiners.

(7) Each member of the board shall take and subscribe the following oath: Oath of Examiner.

I, ...of.....
having been appointed a member of the Board of Examiners under *The Land Surveyors Act, 1931*, do sincerely promise and swear that I will faithfully discharge the duties of such office without favour, affection or partiality. So help me God.

A.B.

Sworn before me at.....
this.....day of.....19....

R.S.O. 1927, c. 201, s. 18 (2-7).

21.—(1) The board shall meet in Toronto, on the first Monday in February in every year, and may adjourn such meeting from time to time. R.S.O. 1927, c. 201, s. 19, *amended*. Meeting,—when and where held.

(2) The council shall for each day's attendance pay out of the funds of the Association to each member of the board who attends any examinations such sum, not less than $6 nor more than $8, as the council may by by-law determine, and his travelling expenses. R.S.O. 1927, c. 201, s. 20. Payment of examiners.

ADMISSION TO PRACTICE.

22. The board shall grant a certificate (Form 2) authorizing to practise as a surveyor, any person who Certificate of qualification.

(*a*) has attained the age of 21 years; (1928, c. 21, s. 9, *part*) Age.

(*b*) has served faithfully and regularly for three years under an instrument in writing duly executed before two witnesses, as a student to a surveyor in actual practice and has received from such surveyor a certificate of his having so served or proves to the satisfaction of the board that he has so served or has been wholly or partly exempted from such apprenticeship by the board in accordance with the provisions hereinafter in that behalf; (1928, c. 21, s. 9, *part, amended*) Apprenticeship.

(*c*)

Intermediate examination.

(*c*) has passed at least six months prior to presenting himself for the final examination an intermediate examination in such subjects as the by-laws of the Association may set out or such part thereof as specified by the board in accordance with the provisions hereinafter in that behalf; (R.S.O. 1927, c. 201, s. 24, *amended*)

Final examination.

(*d*) has passed a final examination not more than six months prior to the termination of his apprenticeship, if any, in such subjects as the by-laws of the Association may require or such part therof as specified by the board in accordance with the provisions hereinafter in that behalf; (1928, c. 21, s. 9, *part*)

Payments.

(*e*) has paid all fees due from him to the Association in accordance with the provisions of section 30 of this Act; (*new*)

References.

(*f*) has produced if required by the board satisfactory evidence as to probity and sobriety; (R.S.O. 1927, c. 201, s. 33, *amended*)

Bond.

(*g*) has entered into a joint and several bond to His Majesty in the sum of $1,000, conditioned for the faithful performance of the duties of his office to be deposited in the office of the Treasurer of Ontario and ensuring to the benefit of any person sustaining damage by breach of the conditions thereof with two sufficient sureties to the satisfaction of the board or the chairman or secretary thereof; (R.S.O. 1927, c. 201, s. 35, *amended*)

Standard measure.

(*h*) has provided himself with a properly certified standard measure of length; (*new*)

Oaths of office and allegiance.

(*i*) has taken and subscribed the oath of allegiance and the following oath of office before the chairman of the board or a member thereof deputed by the board for that purpose which said oaths of allegiance and office shall be deposited in the office of the Provincial Secretary.

I, ... do solemnly swear that I will faithfully discharge the duties of an Ontario Land Surveyor according to the law, without favour, affection or partiality.

R.S.O. 1927, c. 201, s. 36, *amended*.

Who may be apprenticed.

23. No person shall be apprenticed to an Ontario Land Surveyor until he shall have produced to the secretary certificates of pass matriculation and honour matriculation

in

in mathematics both as prescribed by the Department of Education for the Province of Ontario or such other evidence of educational standing as is in the opinion of the board equivalent to the above. *New.*

Exemption from apprenticeship.

24. Notwithstanding anything contained in section 22, a graduate of the Royal Military College at Kingston, or a graduate in arts, engineering or mining engineering of the University of Toronto, McGill University at Montreal, or Queen's University at Kingston, shall only be bound to serve under articles with a practising surveyor, duly filed as required by section 28, during twelve successive months of active practice. (See R.S.O. 1927, c. 201, s. 28).

Exemption when qualified elsewhere.

25. The board shall have power to grant exemption from the whole or part of the term of apprenticeship and from the whole or parts of the intermediate and final examinations in the case of a person who has attained the age of 21 years and has practised as a surveyor in any of His Majesty's Dominions other than the Province of Ontario, and has satisfied the board that the qualifications for practising required in such Dominion are similar to those required in Ontario and has produced to the board his certificate or diploma; Provided that the same or similar privileges are granted in such Dominion to Ontario Land Surveyors. R.S.O. 1927, c. 201, s. 27, *amended.*

Provision in case of death, etc., of employer.

26. If a surveyor dies or leaves Ontario, or is suspended, dismissed or ceases to practise, his apprentice may complete his term of apprenticeship under an instrument in writing, with any registered surveyor in actual practice. R.S.O. 1927, c. 201, s. 29.

Transfer of apprenticeship.

27. A surveyor may, with the consent of the apprentice by an instrument in writing, transfer him to another registered surveyor in actual practice with whom he may serve the remainder of the term of his apprenticeship. R.S.O. 1927, c. 201, s. 30.

Registration of apprenticeship agreements.

28. Every instrument being an agreement of apprenticeship to a surveyor shall be transmitted to the secretary-treasurer within two months of the date thereof for approval and registration and if approved shall be registered by the secretary-treasurer in his office and notice of the said registration forwarded by mail to the apprentice. R.S.O. 1927, c. 201, s. 31, *amended.*

Notice by candidates for examination.

29. Every person desiring to be examined by the board shall give notice thereof in writing to the secretary-treasurer

at

at least one month before the meeting of the board. R.S.O. 1927, c. 201, s. 32, *amended*.

FEES.

Fees.

30. The following fees shall be paid to the secretary-treasurer:

(*a*) for the registration of articles of apprenticeship...$10.
(*b*) For the registration of the transfer of articles of apprenticeship.....$ 5.
(*c*) By each candidate for examination with his notice to present himself thereat.....$ 1.
(*d*) By each candidate presenting himself for the intermediate examination.....$20.
(*e*) By each candidate presenting himself for the final examination.....$40.
(*f*) For intermediate certificate.....$ 1.
(*g*) For final certificate authorizing to practise.....$10.
(*h*) For registration as a surveyor in active practice..$ 1.
(*i*) For official notice of registration in the *Ontario Gazette*.....$ 1.

R.S.O. 1927, c. 201, s. 39 (1), *amended*.

Suspension for non-payment of fees.

(2) Where the annual fees of any member remain unpaid for more than six years and the council is unable to grant total exemption for such period on the ground of extenuating circumstances, such member shall be suspended from membership in the Association until such fees are paid in full or in such part as the council may deem just. R.S.O. 1927, c. 201, s. 39 (2).

REGISTRATION OF PERSONS ENTITLED.

How register to be kept.

31.—(1) The secretary-treasurer shall make and keep a correct register of all persons entitled to be registered under this Act, and shall enter opposite the name of any registered person who has died a statement of the fact and shall make necessary alterations in the addresses of persons registered, and subject to this Act shall keep the register in accordance with the by-laws of the Association and the orders and regulations of the council. R.S.O. 1927, c. 201, s. 41 (1).

Retirement from practice.

(2) A registered surveyor desiring to give up practice may have his name removed from the register upon giving written notice to the secretary-treasurer of such desire, and paying all fees due from him to the Association, and thereafter he shall not be liable to the Association for any annual or other fees, and may, upon like notice of his intention to resume practice and paying the annual fee for the year in which such notice is given, be again registered.

Rectification of entries.

(3) No name shall be entered in the register except of persons authorized by this Act to be registered nor unless

the

the secretary-treasurer is satisfied by proper evidence that the person claiming to be entitled to be registered is so entitled and any appeal from his decision shall be decided by the council, and any entry which is proved to the satisfaction of the council to have been fraudulently or incorrectly made shall be erased from or amended in the register by order of the council. R.S.O, 1927, c. 201, s. 41 (3, 4).

Exemption from annual fees.

(4) The Association may provide that any surveyor who has been in the actual practice of his profession for a period of thirty-five years or more and was during the entire period a duly qualified surveyor may be exempted from payment of the annual membership fee. R.S.O. 1927, c. 201, s. 41 (5), *amended*.

Annual register.

32.—(1) The secretary-treasurer shall in every year cause to be printed and kept for inspection in his office an annual register in which shall be printed in alphabetical order the names and addresses of all persons authorized to practise as Ontario Land Surveyors on the 1st day of June of that year.

Evidence of registration.

2) A copy of such annual register so printed shall be evidence in all courts and for all persons that the persons therein mentioned are registered according to the provisions of this Act. R.S.O. 1927, c. 201, s. 44 (1, 2), *amended*.

(3) In the case of any person whose name does not appear in such copy a certified copy under the hand of the secretary-treasurer of the entry of the name of such person in the register shall be like evidence that such person is registered under the provisions of this Act. R.S.O. 1927, c. 201, s. 44 (3).

FRAUDULENT REGISTRATION.

Penalty for improper entry.

33. If the secretary-treasurer wilfully makes or causes or allows to be made any falsification in any matter relating to the register he shall incur a penalty of not less than $20 and not more than $50. R.S.O. 1927, c. 201, s. 45.

Penalty for procuring entry by fraud.

34. Any person who wilfully procures or attempts to procure registration under this Act by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, shall incur a penalty of not less than $20 and not more than $50 and the council may remove the name of the offender from the register. R.S.O. 1927, c. 201, s. 46.

Right to use title.

35.—(1) Unless registered no person shall be entitled to take or use the name or title of "Ontario Land Surveyor" either alone or in combination with any other word or words, or any name, title or description implying that he is registered under this Act.

Penalty.

(2) Any person who contravenes this section shall incur a penalty not exceeding $20 for the first offence and not exceeding $50 for each subsequent offence. R.S.O. 1927, c. 201, s. 43.

WITNESS FEES.

Witness fees.

36. Every surveyor summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity or in consequence of any professional service rendered by him, shall be entitled to $5 for each day he so attends, in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court. R.S.O. 1927, c. 201, s. 40.

SUSPENSION FOR MISCONDUCT.

Dismissal or suspension of members.

37.—(1) The council may suspend or dismiss from the Association any surveyor whom it finds guilty of gross negligence or of corruption in the execution of the duties of his office; but the council shall not take action until a complaint made under oath has been filed with the secretary-treasurer, and a copy thereof forwarded to the person accused, nor shall the council suspend or dismiss such surveyor without having previously summoned him to appear in order to be heard in his defence, nor without having heard the evidence offered in support of the complaint and on behalf of the surveyor.

Evidence.

(2) The evidence shall be taken under oath to be administered by the chairman of the council, or by the person acting as such in his absence, or by the secretary-treasurer, and shall be taken down by a stenographer as in the case of evidence taken in the Supreme Court.

Appeal.

(3) A surveyor so dismissed or suspended may, within fourteen days after service upon him of a copy of the order or resolution of dismissal or suspension appeal therefrom to a divisional court of the Supreme Court by giving seven days' notice to the secretary-treasurer, and the practice and procedure on the appeal shall be as nearly as may be to the rules of the Supreme Court, and the costs of such appeal shall be in the discretion of the court.

Extension of time for appealing.

(4) The Supreme Court or a judge thereof may extend the time for appealing for a further period not exceeding fourteen days.

Consequences of dismissal.

(5) Unless the order or resolution is set aside, or the Court or the council otherwise orders, a surveyor so dismissed or

suspended

suspended shall not have the right to practise as a surveyor until after the appeal has been disposed of except where the t me for which he was so suspended has expired.

(6) The council may suspend or dismiss from the Association any member who has been convicted of any crime, and cause his name to be removed from the register. Removal from register for crime.

(7) The council may direct the registrar to restore to the register the name of any person or any entry erased therefrom, either without the fee or on payment of such fee, not exceeding tl.e arrears of fees due to the Association as the council may fix. R.S.O. 1927, c. 201, s. 37. Restoration to register.

ATTENDANCE OF WITNESSES.

38. On any enquiry concerning the election, dismissal, suspension or restoration of any member a subpoena under the hand of the president or of the vice-president, or of any two members of the council, for the attendance of a witness before the council, shall have all the force of a subpoena issued by the Supreme Court, and any witness not attending in obedience thereto shall be liable to attachment in the Supreme Court. R.S.O. 1927, c. 201, s. 38. Attendance of witnesses.

RECOVERY OF FEES AND PENALTIES.

39.—(1) All fees payable under this Act may be recovered as ordinary debts due the Association and all penalties imposed by or under the authority of this Act shall be recoverable under *The Summary Convictions Act*. Recovery of fees. Rev. Stat., c. 121.

(2) All penalties recovered under this Act shall immediately upon the recovery thereof be paid over by the convicting justice to the secretary-treasurer. Application of penalties.

(3) Any person may be prosecutor or complainant under this Act, and the council may allot such portion of the penalty as it deems expedient to the prosecutor. R.S.O. 1927, c. 201, s. 47.

HOW FUNDS TO BE APPLIED.

40. The secretary-trea urer shall enter in books to be kept for that purpose a true account of all moneys by him received and paid, and such books shall be audited and submitted to the council and to the Association when and so often as they may require. R.S.O. 1927, c. 201, s. 50. Accounts of Association.

NOTICES AND DOCUMENTS.

41.—(1) Except as herein otherwise provided all notices and documents required by or for the purposes of this Act Service of notices.

to

to be sent by mail, if sent by registered post, shall be deemed to have been received at the time when the same would be delivered in the ordinary course of mail.

What to be deemed proper address.

(2) Such notices and documents, when sent to a person registered under this Act, shall be deemed to be properly addressed if addressed to him according to his address in the register of the Association. R.S.O. 1927, c. 201, s. 48.

Rev. Stat., c. 201 repealed.

42. *The Land Surveyors Act*, being chapter 201 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

43. This Act shall come into force on the 1st day of June, 1931.

FORM 1

VOTING PAPER

(*Sections 11 and 15 (2)*)

Association of Ontario Land Surveyors

Election 19 .

I, of

in

a member of the Association of Ontario Land Surveyors, do hereby declare that

(1) The signature hereto is in my proper handwriting.

(2) I vote for *A. B.*, of , as (president, vice-president, secretary-treasurer, auditor *or* auditors, *as the case may be*).

(3) I vote for the following persons as members of the council of the Association: *A. B.*, of and *C .D.*, of

(4) I have signed no other voting paper at this election.

(5) This voting paper was signed on the day of the date thereof.

Witness my hand this day of , 19 .

R.S.O. 1927, c. 201, Form 1.

FORM 2

(*Section 22*)

CERTIFICATE OF ADMISSION

This is to certify that *A. B.* of has duly passed his examination before the board of examiners, and has been found qualified to fill the office and perform the duties of an Ontario Land Surveyor, he having complied with all the requirements of the law in that behalf. Wherefore the said *A. B.* is admitted to the said office and is by law authorized to practise as an Ontario Land Surveyor.

In witness whereof we have signed this certificate at the city of Toronto the day of , 19 .

C. D., Chairman.

E. F., Secretary.

R.S.O. 1927, c. 201, Form 2.

CHAPTER

CHAPTER 42.

An Act to amend The Surveys Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Surveys Act, 1931.*

Rev. Stat., c. 202, s. 4, amended.

2. Section 4 of *The Surveys Act* is amended by adding thereto the following subsections:

Custody of field notes, etc., of deceased surveyor.

(2) Where a surveyor has died and no arrangements have been made, within six months, to place his field notes, records and indices in the custody of a surveyor in active practice, they shall be delivered by the executors of the estate of the deceased surveyor to the Minister who shall hold them until such time as arrangements may be made to place the said field notes, records and indices in the custody of a surveyor in active practice.

To be deemed public documents.

(3) During the time the said field notes, records and indices are in the possession of the Minister they shall be considered to be public documents and shall be open for inspection by interested parties in accordance with the regulations of the Department for that purpose.

Rev. Stat., c. 202, s. 12, subs. 3, amended.

3. Subsection 3 of section 12 of *The Surveys Act* is amended by striking out the word "stakes" in the last line but one and inserting in lieu thereof the words "posts or monuments," so that the subsection shall now read as follows:

Methods of original survey to be followed.

(3) Where a surveyor is employed to establish or re-establish the boundaries of any road, street, lane, common, lot, block or parcel of land shown on any such plan, he shall follow the method adopted in making the original survey as shown on the plan or field notes and shall give proportionate dimensions

to

to each lot shown thereon where the original posts or monuments defining the angles of such lot cannot be found or their position satisfactorily established.

4. Subsection 1 of section 13 of *The Surveys Act* is amended by striking out the clauses *a* and *b* therein and inserting in lieu thereof the following: Rev. Stat., c. 202, s. 13, subs. 1, amended.

(*a*) Stone or reinforced concrete 5 inches square at the top, 8 inches square at the base and not less than 4 feet in length, the base of which is to be planted 3 feet 6 inches below the surface. Material of monuments

(*b*) Iron bar 1 inch square, 4 feet long, the point of which is to be driven 3 feet 6 inches below the surface.

5. Section 18 of *The Surveys Act* is repealed and the following substituted therefor: Rev. Stat., c. 202, s. 18, repealed.

18. All expenses incurred in making any survey and placing any monument under the provisions of sections 14, 15, 16 and 17 shall be paid to the surveyor making the survey on certificate and order of the Minister by the treasurer of the municipality by whom the application for the survey is made. Expenses of survey,— how paid.

6. Section 19 of *The Surveys Act* is amended by striking out the word "either" where the same occurs in the ninth line of subsection 1, in the fifth line of subsection 2, in the ninth line of subsection 3 and in the fifth line of subsection 4 and inserting in lieu thereof the word "each." Rev. Stat., c. 202, s. 19, amended.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 43.

An Act to regulate the practice of Architecture

Assented to April 2nd, 1931.

Preamble. WHEREAS the Ontario Association of Architects has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I.

SHORT TITLE.

Short title. **1.** This Act may be cited as *The Architects Act, 1931.*

PART II.

ARCHITECTS' REGISTRATION BOARD.

Architects' Registration Board established. **2.**—(1) There shall be established a board to be known as the Architects' Registration Board to be composed as follows:

(*a*) One member to be appointed by the University of Toronto and one member by each other university, college or body in the Province of Ontario now by law authorized or which may hereafter be authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years;

(*b*) One member to be appointed by the Lieutenant-Governor in Council to hold office for a period of three years;

(*c*) Three members for each one appointed under clause (*a*) of this subsection to be elected by a general vote

of

of the members of the Ontario Association of Architects in the manner provided by that Association for the election of the council thereof, the members elected under this clause to hold office for one year only from the coming into force of this Act; and thereafter three members of the board for each one appointed under clause (*a*) of this subsection to be elected by general vote of the members of the profession registered under this Part, the same to hold office for three years.

Qualification of members.

(2) Every member of the board, other than the first members, shall be an architect registered under this Act, a British subject, and a resident of the Province of Ontario; and any member of the board, not otherwise disqualified, shall be eligible for reappointment at the expiration of his term.

Resignations and vacancies.

(3) Any member of the board may resign by letter addressed to the chairman of the board; and every vacancy on the board caused by the death, resignation or incapacity of a member, if such member has been appointed under clause (*a*) of subsection 1 hereof shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause (*b*) of subsection 1 hereof, by the Lieutenant-Governor in Council, and if such member has been appointed under clause (*c*) of subsection 1 hereof, then by the majority vote of the remaining members of the board. Members of the board appointed to fill vacancies arising as aforesaid shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

Officers of the board.

(4) The board shall elect one of its number to be chairman, one to be vice-chairman and one to be secretary-treasurer.

Rules of procedure.

3.—(1) The board may make rules and regulations as to the times and places of meetings of the board and the mode of summoning the same; and in the absence of any rule or regulation as to the summoning of meetings, the chairman or in the event of his absence, death, or incapacity the secretary-treasurer may summon a meeting to be held at such time and place as to him seems fit, by letter mailed to each member of the board.

(2) In the event of the absence of the chairman from any meeting, the vice-chairman or in his absence some other member to be chosen, from among the members present, shall act as chairman.

(3) All questions shall be decided by the majority of the members present and three members shall form a quorum of the board.

(4) At all meetings the chairman thereof shall have a casting vote.

Powers of the board.

4. The board, with the approval of the Lieutenant-Governor in Council, may make regulations;

(*a*) for the admission of architects to practise in Ontario, and for the registration of all persons so admitted;

(*b*) prescribing qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience;

(*c*) prescribing examinations for admission and the method of conducting them, and fixing the fees to be paid on examinations and registration;

(*d*) for keeping a register of persons admitted to practise and providing for the annual renewal of registration and prescribing the fees payable thereon;

(*e*) providing for the discipline and control of registered architects;

(*f*) for the investigation of any complaint that a registered architect has been guilty of misconduct or incompetence so as to render it desirable in the public interest that his registration should be cancelled or suspended;

(*g*) for the cancellation or suspension of the registration of any person found by the board to be guilty of misconduct or incompetence;

(*h*) for the elections of members of the board under clause (*c*) of subsection 1 of section 2 hereof; and

(*i*) generally for the better carrying out of the provisions of this Part.

Investigations.

5. On the investigation of any claim against a registered architect the board shall have all the power which may be conferred on a commission appointed under *The Public Inquiries Act.*

Rev. Stat., c. 20.

Appeals

6.—(1) Any one whose registration hereunder is suspended or cancelled may within sixty days after the order of suspension or cancellation appeal to a judge of the Supreme Court from such order, giving not less than seven days' notice of such appeal to the secretary-treasurer of the board and the

practice

practice and procedure in such an appeal shall be the same as upon an appeal from a Master or Referee of the Supreme Court.

Practising pending appeal.

(2) Pending an appeal the party whose registration is suspended or cancelled, may continue to practise, but unless the order of suspension or cancellation be set aside, he shall not practise thereafter except in the case of suspension upon the expiry of the period of suspension.

Registration of persons practising at passing of Act.

7. Registration may be granted without requiring the passing of the prescribed examinations to any person who makes application therefor, on or before such date as may be fixed by the regulations, upon proving to the satisfaction of the board that the applicant is of good character:

(*a*) was practising as an architect in Ontario for at least one year prior to the first day of July, 1931.

(*b*) or gives evidence of experience and qualifications satisfactory to the board.

Remuneration of members of board.

8. Such remuneration as shall be fixed by the regulations for the members of the board, including the secretary-treasurer, and all other expenses which may be required for carrying out the provisions of this Part and the regulations passed thereunder shall be paid out of the moneys received by the board under the provisions of this Part and the regulations.

Audit of board's accounts.

9. The accounts of the board shall be audited by a chartered accountant, or an incorporated public accountant, annually and a statement of such accounts as audited shall be sent to each registered architect in good standing, and to the Attorney-General.

Witness fees

10. Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to $5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

Penalties for unauthorized use of term architect and for unauthorized holding out as architect.

11.—(1) Every person who, not being registered as an architect under this Part, or who having been so registered and whose registration has been cancelled or is under suspension, who applies to himself the term architect alone or in combination with any other term, or who holds himself out as an architect shall be guilty of an offence, and shall incur a penalty not exceeding $100 for a first offence and upon con-

viction

viction for a subsequent offence a penalty of not less than $300 and not more than $500, or imprisonment for a period not exceeding three months or both.

(2) Nothing herein contained shall be deemed to prevent anyone using the term "Landscape Architect."

Penalty for false certificate.

12. Every architect who wilfully makes any false certificate in respect of any work done, or the value or condition of any work or building, besides being liable in damages for any injury thereby suffered, shall incur a penalty not exceeding $100.

Rev. Stat., c. 121.

13. Penalties imposed by or under the authority of this Part shall be recoverable under *The Summary Convictions Act.*

PART III.

ONTARIO ASSOCIATION OF ARCHITECTS.

Association continued.

14. The Ontario Association of Architects, hereinafter called the association, is hereby continued as a body corporate.

Powers as to real estate.

15. The association may purchase, take and possess for the purposes of the association, but for no other purpose, and after acquiring the same may sell, mortgage, lease or dispose of any real estate.

Membership.

16. The persons who are now members of the association and such other architects who may be hereafter admitted shall be members thereof, subject to the by-laws of the council and to the provisions of this Part.

Objects.

17. The general objects of the association shall be to institute and furnish means and facilities for the promotion of knowledge, proficiency and high standard of ethics in all things relating to the practice of architecture.

Council of management.

18. There shall be a council of management of the association, hereinafter called the council to be appointed in the manner hereinafter provided.

Council, how composed.

19.—(1) The council shall be composed of twelve persons who shall be British subjects, who have resided and practised the profession of architecture within Ontario for at least ten years.

Quorum.

(2) Any five members of the council shall form a quorum.

Election.

20. The members of the council shall be elected by ballot, in such manner as may be provided by by-law of the asso-

ciation,

ciation, at its annual meeting, or at a special meeting called for that purpose, and the members of the association obtaining the greatest number of votes shall be declared elected.

Qualification.

21. No person shall be eligible for election to the council, or qualified to fill any vacancy therein, or to vote for any member thereof unless duly qualified under the provisions of this Part and by by-law of the association.

Term of office.

22. Except in the case of an election or an appointment to fill a vacancy caused by death or resignation, the members of the council shall hold office for the term of three years, four retiring each year.

Vacancies how filled.

23.—(1) In case of the resignation or death of any member or members of the council, not exceeding seven the other members may fill the vacancies, to hold office until the time of the holding of the next annual meeting, provided that such meeting is not to be held within three months of the occurring of such vacancies.

Special meeting.

(2) In case of the resignation or death of eight or more members of the council, the president or either of the vice-presidents of the association or, in case of their default for a period of ten days, any five members in good standing may call a special meeting of the association, upon notice of not less than ten days, for the purpose of filling the vacancies.

Election how determined.

(3) In case of an election to fill the vacancies referred to in subsections 1 and 2, the member receiving the greater number of votes shall be considered the member elected to fill the vacancy which will require the longer term to expire, and so on until the vacancies are filled.

Proceedings where election disputed.

24. In case of any doubt or dispute as to who has been elected a member of the council, or as to the legality of the election of any member, the other duly elected members shall be a committee to hold an enquiry and decide who is the legally elected member, and the person whom they decide to have been elected shall be deemed to be legally elected, and if the election is found to have been illegal, the committee shall order a new election.

President and officers.

25. The council shall annually elect from among its members a president and two vice-presidents, and shall appoint a treasurer, a solicitor, an auditor and such other officers as may be deemed necessary for carrying out the objects of this Part, who shall hold office during the pleasure of the council, and who shall, as well as being officers of the council, hold the like positions as officers of the association. The office of the president shall not be held by any one person for more than two years in succession.

26.

Power to regulate meetings of council and association.

26. Meetings of the association and of the council shall be held at such time and places as may be fixed by by-law of the association or council respectively; and in the absence of any rule or regulation as to the summoning of meetings of the association or of the council, the president, or in the event of his absence or death, either of the vice-presidents may summon the same for such time and place as he may think fit, by notice to be mailed to each member.

Who to preside at meetings.

27. In the event of the absence of the president from any meeting, either of the vice-presidents, or, in their absence, some other member to be chosen from among the members present shall act as president.

Majority to decide.

28.—(1) All questions submitted to the association or to the council shall be decided by a majority of the members present, except as otherwise provided by the by-laws of the association.

Quorum.

(2) Any twenty members of the association shall form a quorum.

Casting vote.

29. At all meetings the president for the time being shall have only a casting vote, and in the case of a tie at an election he shall have a casting vote in addition to his vote as a member of the association.

Payment of expenses of members of council.

30. There shall be paid to the members of the council such fees for attendance, and such reasonable travelling expenses as may be fixed by by-laws of the association passed at an annual meeting.

Officers' salaries.

31. The council may by by-law fix the salaries or fees to be paid to the officers of the association.

By-laws.

32. The council may pass by-laws not inconsistent with the provisions of this Part for:

Discipline.

(*a*) the admission and the government of members of the association;

Management of property.

(*b*) the management of the property of the association;

Fees of candidates.

(*c*) fixing, levying and collecting fees to be paid by candidates for membership and annual fees to be paid by members of the association;

Associates, honorary members.

(*d*) the creation of qualified classes of membership for associates and honorary members prescribing the qualifications for and the rights of each of such classes;

(*e*) all such other purposes as may be deemed necessary or convenient for the management of the affairs of the association, and the conduct of its business; Other matters.

and may alter and amend such by-laws when deemed advisable.

33. All candidates for membership shall be presented by a member of the council and shall cause their full names to be entered with the treasurer and shall pay such fees as shall be prescribed. Admission of members.

34. All fees payable under this Part may be recovered as ordinary debts due to the association. Recovery of fees.

35. The treasurer shall enter in books to be kept for that purpose a true account of all sums of money by him received and paid under this Part, and such account shall be audited by the auditor and submitted to the council and to the association when and so often as they may require. Accounts and audit.

PART IV.

36. *The Architects Act*, being chapter 203 of the Revised Statutes of Ontario, 1927, is repealed. Repeal.

37. This Act shall come into force on the 1st day of July, 1931. Commencement of Act.

CHAPTER

CHAPTER 44.

An Act respecting the Practice of Veterinary Science.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Veterinary Science Practice Act, 1931.*

Interpretation,—

2. In this Act,—

"Association."

(*a*) "Association" shall mean the Ontario Veterinary Association;

"Board."

(*b*) "Board" shall mean the Veterinary Practice Board;

"Minister."

(*c*) "Minister" shall mean the Minister of Agriculture for the Province of Ontario;

"Registrar."

(*d*) "Registrar" shall mean the Registrar of the Ontario Veterinary Association;

"Veterinary science."

(*e*) "Veterinary science" shall mean the application of medicine or surgery to the ailments of any kind of live stock or domestic animals, except as regards parturition, castration, spaying and dehorning. R.S.O. 1927, c. 208, s. 1. *Amended.*

Ontario Veterinary Association.

3. All persons duly qualified and registered under the provisions of this Act to practise veterinary science shall constitute the Ontario Veterinary Association. *New.*

Corporate name and powers.

4. The Association shall be a corporate body by the name aforesaid, having a common seal, with power to make by-laws, rules and regulations as may be deemed necessary governing its members, and to fix the fees of admission and annual fees, and shall prescribe the form of certificate to be issued under this Act. *New.*

5.

Certificate required.

5. On and after the 1st day of June, 1931, no person shall practise veterinary science for fees in Ontario without a certificate entitling him so to do. R.S.O. 1927, c. 208, s. 2. *Amended.*

Board to approve certificates.

6. Such certificates shall be issued annually by the Registrar to recognized graduates in veterinary science upon the recommendation of a board of three members to be appointed each year by the Association and to be known as the Veterinary Practice Board. *New.*

Registrar's duties.

7. The Registrar shall be appointed each year by the Association and it shall be the duty of the Registrar to issue the necessary certificates and to make and keep a correct register of those receiving certificates each year and to remove delinquents from the register from time to time as recommended by the Board. *New.*

Applications for certificates.

8. Applications for certificates shall be made to the Registrar and referred by him to the Board and it shall be the duty of the Board to carefully examine the evidence submitted as to the standing of each applicant for such certificate and recommendations shall be made only in the cases of,—

(*a*) graduates in veterinary science of the Ontario Veterinary College or of the University of Toronto; or

(*b*) graduates in veterinary science of any veterinary college or university recognized by the Board as being at least equal in standing to the Ontario Veterinary College, and who have passed an examination conducted by the Board equivalent to that prescribed by the University of Toronto for the degree of Bachelor of Veterinary Science. R.S.O. 1927, c. 208, s. 4. *Amended.*

Persons exempt.

1920, c. 51.

Rev. Stat., c. 208.

9. Persons who at the time of the passing of this Act have received certificates from the Minister under the provisions of clause *c* of section 5 of *The Veterinary Science Practice Act, 1920*, or under the provisions of *The Veterinary Science Practice Act*, R.S.O. 1927, chapter 208, shall be exempt from the operations of this Act. *New.*

Cancellation of certificates.

10. The Registrar, upon the recommendation of the Board, may cancel any certificate upon evidence that the holder thereof has been convicted in the courts of an indictable offence, or is of bad repute through disgraceful conduct, or is in default of any fees payable by him to the Association, whereupon such person shall cease to have any of the privileges

of

of a veterinary surgeon under this Act. R.S.O. 1927, c. 208, s. 5. *Amended.*

Conducting courses in veterinary science.

11. No person or persons, association, company or organization shall hereafter conduct in Ontario courses in veterinary science for which fees are charged or certificates or diplomas granted without a certificate of authorization from the Minister, and a certificate shall only be issued after investigation by the Board has shown that the requirements of admission and courses of study and instruction are at least equal in standard to that of the Ontario Veterinary College. R.S.O. 1927, c. 208, s. 6. *Amended.*

Use of titles restricted.

12. No person, other than a graduate in veterinary science of a recognized college or university, shall use the title "Veterinary," "Veterinarian," "Veterinary Surgeon" or append to his name any of these titles, or any abbreviation thereof, and no graduate in veterinary science shall use any title or degree which has not been conferred on him by a recognized college or university. R.S.O. 1927, c. 208, s. 7. *Amended.*

Right to professional fees.

13. Any person holding a certificate from the Registrar shall be entitled to professional fees in attending any court of law in such cases as relate to the veterinary profession. R.S.O. 1927, c. 208, s. 8. *Amended.*

Penalty.

14. Any person violating any provision of this Act shall be guilty of an offence and shall incur a penalty of not more than $100 nor less than $50 to be recoverable by the Association under *The Summary Convictions Act.* R.S.O. 1927, c. 208, s. 9. *Amended.*

Rev. Stat., c. 121.

Rev. Stat., c. 208, repealed.

15. *The Veterinary Science Practice Act*, being chapter 208 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

16. This Act shall come into force on the 1st day of June, 1931.

CHAPTER

CHAPTER 45.

An Act to amend The Optometry Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Optometry Act, 1931.* Short title

2. Section 1 of *The Optometry Act* is amended by adding thereto the following clauses: Rev. Stat., c. 215, amended.

(*c*) "Ophthalmic lens" shall mean any form of lens or prism or the combination of the same, devised for the relief or correction of any visual or muscular error or defect of the eye. "Ophthalmic lens."

(*d*) "Optometry" shall mean the measurement of or the attempt to measure by any means, other than the use of drugs, the refractive or muscular condition of the eye, the prescribing of any ophthalmic lens or lenses or the prescribing of any spectacles or eye-glasses or ocular calisthenics to any person for the relief or correction of any visual or muscular error or defect of the eye. "Optometry."

(*e*) "Optometrist" shall mean any person who practises optometry as herein defined. "Optometrist."

(*f*) "Optician" shall mean any person who dispenses any ophthalmic lens or lenses or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye, or repairs the same, or fills any optometrist's or oculist's prescription for any such lenses, spectacles or eye-glasses. "Optician."

(*g*) Without in any way limiting the generality of the word "prescribe" it shall, in this Act, be deemed to include the supply or loan by any person, or his agent, to any other person, of a mechanical instru- "Prescribe."

ment

ment for the purpose of such other person by means of such instrument making a self-measurement of the refractive or muscular condition of the eye.

Rev. Stat., c. 215, s. 8, sub. 1, amended.

3.—(1) Subsection 1 of section 8 of *The Optometry Act* is amended by striking out the words "whether or not he" in the second line and inserting in lieu thereof the word "who," and by striking out the word "found" in the third line thereof.

Rev. Stat., c. 215, s. 8, amended.

(2) The said section 8 is further amended by adding thereto the following subsections:

Powers of Board on inquiry.

(3) For the purposes of any inquiry under this section the Board shall have and may exercise all the powers which may be conferred upon a commission appointed under *The Public Inquiries Act* including the power to summon witnesses and compel their attendance, to take affidavits under oath and call for the production of books, documents, papers and things.

Rev. Stat., c. 20.

Appeal to Supreme Court judge.

(4) An appeal shall lie, by way of originating notice, from any order or decision of the Board under this Act to a judge of the Supreme Court who may receive such evidence, give such directions for the conduct of the proceedings and make such order or decision thereon as he may deem just, and his decision shall be final and shall not be subject to an appeal.

Rev. Stat., c. 215, s. 9, repealed.

4. Section 9 of *The Optometry Act* is repealed and the following substituted therefor:

Offences.

9.—(1) Every person,—

(*a*) Not being the holder of a certificate under this Act who practises optometry or as an optician, or appends to his name the term "optometrist" or "optician" or any abbreviation thereof, or wilfully or falsely pretends to be, or wilfully or falsely takes or uses any name, title, addition, abbreviation or description implying, or calculated to lead any person to believe, that he is or is recognized by law as an optometrist or optician as the case may be, or that he is registered or possesses a certificate as an optometrist or optician under this Act, or

(*b*) Who is the holder of a certificate under this Act and who has been prohibited by the

Board

Board from practising as an optometrist and disobeys such prohibition, or

(*c*) Whether he is the holder of a certificate under this Act or not, who, except in cases of replacement or duplication, sells or offers to sell through an agent, other than a retail merchant, or sells or offers to sell through a travelling salesman, or prescribes by mail or through an agent or travelling salesman, any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye, or

(*d*) Whether he is the holder of a certificate under this Act or not, who causes to be printed or published or distributed any false or misleading advertisement with respect to the sale of any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye

shall be guilty of an offence and shall incur a penalty of not more than $100 or less than $10 for the first offence, and not more than $500 or less than $25 for the second offence. Penalties.

(2) *The Summary Convictions Act* shall apply to offences under this Act. Application of Rev. Stat., c. 121.

5. Section 10 of *The Optometry Act* is repealed and the following substituted therefor: Rev. Stat., c. 215, s. 10, repealed.

10.—(*a*) Nothing in this Act shall be deemed to apply to a duly qualified medical practitioner registered under the laws of the Province of Ontario, or to any person, firm or corporation carrying on business in the Province of Ontario as a *bona fide* wholesale manufacturer of optical goods who does not prescribe directly or indirectly by mail or through an agent or travelling salesman or otherwise in any manner whatsoever, any ophthalmic lens or spectacles or eye-glasses devised for the relief or correction of any visual or muscular error or defect of the eye. Exemption from operation of Act.

(*b*) Nothing in this Act shall be deemed to prevent the unrestricted sale of protection glasses for industrial purposes, coloured glasses not embodying an ophthal-

mic lens or lenses, goggles or simple magnifying glasses not sold or devised for the relief or correction of any visual or muscular error or defect of the eye.

Saving as to retail merchants and test cards or charts.

6. Nothing in this Act contained shall prevent,—

(*a*) the practise by a retail merchant of optometry or as an optician at his ordinary place of business or the carrying on therein of an optical department, if such practise and optical department are in charge of a registered optometrist; or

(*b*) the selling or offering for sale by a retail merchant at his ordinary place of business of spectacles or eye-glasses; or

(*c*) the provision by a retail merchant at his ordinary place of business of a test card or chart, other than a mechanical instrument, so that customers therein may select spectacles or eye-glasses kept for sale by such retail merchant at his place of business; or

(*d*) the furnishing or supplying through the mail by any person to any other person of a test card or chart, other than a mechanical instrument, whereby such other person may select spectacles or eye-glasses.

Commencement of Act.

7. This Act shall come into force on the 1st day of January, 1932.

CHAPTER

CHAPTER 46.

An Act to amend The Companies Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Companies Act, 1931.*

Rev. Stat., c. 218, s. 2, subs. 1, amended.

2. Subsection 1 of section 2 of *The Companies Act* is amended by striking out the word "five" in the second line and inserting in lieu thereof the word "three."

Rev. Stat., c. 218, s. 5, repealed.

3. Section 5 of *The Companies Act* as amended by section 2 of *The Companies Act, 1930*, is repealed and the following substituted therefor:

Issue of shares without nominal or par value.

5.—(1) The letters patent or any supplementary letters patent of any company may provide for the issue of any or all of the shares of the capital stock of such company without any nominal or par value.

Equality of no par value shares.

(2) Each share of the capital stock without nominal or par value shall be equal to every other such share of the capital stock subject to the preferences, restrictions or other conditions attached to any class of shares.

Particulars on certificate.

(3) Every certificate of shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the company is authorized to issue, and no such certificate shall express any nominal or par value of such shares.

Price to be fixed by directors.

(4) In the absence of other provisions in that behalf in the letters patent, supplementary letters patent or by-laws of the company, the issue and allotment of shares without nominal or par value authorized by this section may be made from time to time for

such

such consideration as may be fixed by the board of directors of the company; and in fixing the amount of such consideration, except in respect of shares without nominal or par value having a preference as to principal, the board may provide that a part thereof may be set aside as a distributable surplus.

Holder not liable to creditors, etc.

(5) Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable on receipt by the company of the consideration for the issue and allotment thereof, and the holder of such shares shall not be liable to the company or to its creditors in respect thereof.

Minimum capital.

(6) The amount of capital with which the company shall carry on business shall be not less than the aggregate amount of the par value of outstanding fully paid par value shares, if any, or of any less amount paid up on par value shares, together with the amount of the consideration received upon the issue and allotment of the shares without nominal or par value from time to time outstanding exclusive of such part of such consideration as may be set aside as distributable surplus in accordance with the provisions of subsections 4 and 8 hereof.

(7) Nothing in subsection 6 contained shall be deemed to affect the capital of companies incorporated under the provisions of Part I of this Act in respect of shares without nominal or par value issued before the coming into force of subsection 6 where the letters patent of such companies with supplementary letters patent, if any, granted to such companies before or after the coming into force of subsection 6 provide that the capital shall be at least equal to the sum of the aggregate par value of all issued shares having par value plus a sum in dollars in respect to every issued share without par value, plus such amounts as from time to time by by-law of the company may be transferred thereto.

Shares heretofore issued.

(8) In the case of any shares without nominal or par value which were issued before the date of the coming into force of this Act, or of any such shares which may be issued thereafter without there having been made, on or before the issue and allotment thereof in accordance with the provisions of this Act, a declaration that any specified proportion of the consideration to be received therefor shall be capital, the directors may at any time pass a by-law for either or both of the following purposes, namely:

(*a*) declaring that a specified portion of the consideration received for any such shares, whether issued before or after the coming into effect of this Act, shall be capital; or (*b*) approving the consideration received for and confirming the issue of any such shares which were issued for a consideration not fixed in accordance with the provisions of this Act, and upon such by-law being sanctioned by at least two-thirds of the votes cast at a special general meeting of the shareholders of the company duly called for considering the same the Provincial Secretary, upon being satisfied of the expediency and *bona fide* character thereof, may grant supplementary letters patent confirming the said by-law.

4. Subsection 1 of section 16 of *The Companies Act* is amended by adding thereto the following clause: Rev. Stat., c. 218, s. 16, subs. 1, amended.

(*j*) consolidating or subdividing any shares, either with or without par value. Consolidating or subdividing shares.

5.—(1) The clause lettered *e* in subsection 1 of section 23 of *The Companies Act* is amended by striking out the words "subject to section 96" at the commencement thereof. Rev. Stat., c. 218, s. 23, subs. 1, cl. *e*, amended.

(2) The clause lettered *m* in subsection 1 of the said section 23 as amended by section 4 of *The Companies Act, 1930*, is further amended by adding after the word "thereof" in the second line the words "as an entirety or substantially as an entirety." Acquiring shares in other companies. Rev. Stat., c. 218, s. 23, subs. 1, cl. *m*, amended.

(3) Subsection 1 of section 23 of *The Companies Act* is further amended by adding thereto the following clauses: Rev. Stat., c. 218, s. 23, subs. 1, amended.

(*r*) to procure the company to be registered and recognized in any foreign country or province of the Dominion of Canada, and to designate persons therein according to the laws of such foreign country or province of the Dominion of Canada to represent the company and to accept service for and on behalf of the company of any process or suit; Power to procure registration and representation.

(*s*) to issue and allot fully paid shares of the capital stock of the company in payment or part payment of any real or personal property purchased or otherwise acquired by the company; Payment of real or personal property by allotment of shares.

(*t*) to distribute among the shareholders of the company in kind, specie or otherwise as may be resolved, by way of dividend, bonus or in any other manner Distribution among shareholders.

deemed

deemed advisable, any property or assets of the company or any proceeds of the sale or disposal of any property of the company and in particular any shares, bonds, debentures, debenture stock or other securities of or in any other company belonging to the company, or of which it may have power to dispose; provided, however, that no such distribution shall effect a reduction of the capital of the company, except made in accordance with the provisions of *The Companies Act;*

Payment of costs and expenses.

(*u*) to pay out of its funds all costs and expenses of or incidental to the incorporation and organization of the company.

Rev. Stat., c. 218, s. 31, subs. 1, amended.

6.—(1) Subsection 1 of section 31 of *The Companies Act* is amended by striking out the word "five" in the third line and inserting in lieu thereof the word "three."

Rev. Stat., c. 218, s. 31, subs. 3, amended.

(2) Subsection 3 of section 31 of *The Companies Act* is amended by striking out the word "five" in the third line and inserting in lieu thereof the word "three."

Rev. Stat., c. 218, s. 40, subs. 1, amended.

7. Subsection 1 of section 40 of *The Companies Act* is amended by striking out the words "this Act" in the third line and inserting in lieu thereof the words "*The Companies Information Act.*"

Rev. Stat., c. 218, s. 64*a*, subs. 2 (1928, c. 32, s. 7), amended.

8.—(1) Subsection 2 of section 64*a* of *The Companies Act* as enacted by section 7 of *The Companies Act, 1928*, is amended by striking out the word "shall" in the twelfth line and inserting in lieu thereof the word "may," so that the subsection shall now read as follows:

Judge may sanction compromise if approved by three-fourths of shareholders.

(2) If the shareholders or class of shareholders, as the case may be, present in person or by proxy at the meeting, by three-fourths of the shares of each class represented agree to the compromise or arrangement either as proposed or as altered or modified at such meeting, called for the purpose, such compromise or arrangement may be sanctioned by a judge as aforesaid, and if so sanctioned such compromise or arrangement and any reduction or increase of share capital and any provision for the allotment or disposition thereof by sale or otherwise as therein set forth, may be confirmed by supplementary letters patent, which shall be binding on the company, and the shareholders or class of shareholders, as the case may be.

Confirmation by supplementary letters patent.

Rev. Stat., c. 218, s. 64a, (1928, c. 32, s. 7), amended.

(2) The said section 64*a* is further amended by adding thereto the following subsections:

(3)

(3) Where at a meeting called as hereinbefore provided dissentient votes are cast by shareholders of one or more classes affected, and where, notwithstanding such dissentient votes, the compromise or arrangement is agreed to by the holders of three-fourths of each class represented, it shall be necessary that the company notify each shareholder in such manner as may be prescribed by the said judge of the time and place when application will be made to the judge for the sanction of the compromise or arrangement. Notice of compromise or arrangement when there are dissentient votes.

(4) The expression "arrangement" in the preceding subsections shall be construed as extending to a reorganization of the share capital of the company by the consolidation of shares of different classes or by the division of shares into shares of different classes or by both of these methods. "Arrangement"—meaning of.

9. Subsection 2 of section 75 of *The Companies Act* is amended by striking out the words "subject to the by-laws" at the commencement thereof. Rev. Stat., c. 218, s. 75, subs. 2, amended.

10. Subsection 3 as enacted by section 9 of *The Companies Act, 1928*, and subsection 4 as enacted by section 9 of *The Companies Act, 1930*, of section 82 of *The Companies Act* are repealed and the following substituted therefor: Rev. Stat., c. 218, s. 82, subss. 3, 4, (1928, c. 32, s. 9; 1930, c. 37, s. 9) repealed.

(3) The next preceding subsection shall not apply to any by-law which creates or attempts to create redeemable or convertible preference shares, but a copy of such by-law certified under the seal of the company must be filed forthwith in the office of the Provincial Secretary. Copy of by-law creating redeemable or convertible shares to be filed.

11. Section 89 of *The Companies Act* is amended by adding thereto the following subsection: Rev. Stat., c. 218, s. 89, amended.

(4) No person who is an undischarged bankrupt shall hold office as a director and where any director becomes a bankrupt he shall thereupon cease to be a director. Director not to be a bankrupt.

12. Subsection 2 of section 95 of *The Companies Act* is amended by adding after the word "company" in the ninth line the words "or any of its shareholders or creditors." Rev. Stat., c. 218, s. 95, subs. 2, amended.

13. Section 96 of *The Companies Act* is repealed. Rev. Stat., c. 218, s. 96, repealed.

14. *The Companies Act* is amended by adding thereto the following section: Rev. Stat., c. 218, amended.

Purchase of shares for benefit of employees.

152*b*.—(1) A company may provide in accordance with any scheme for the time being in force money for the purchase by trustees of fully paid shares in the company to be held by or for the benefit of employees of the company, including any director holding a salaried employment or office in the company;

Loans to employees to purchase shares.

(2) A company may make loans to persons *bona fide* in the employment of the company with a view to enabling those persons to purchase fully paid shares in the company to be held by themselves by way of beneficial ownership.

Rev. Stat., c. 218, s. 318a, cl. *d* (1930, c. 37, s. 11), repealed.

15. Clause *d* of section 318*a* as enacted by section 11 of *The Companies Act, 1930*, is repealed and the following substituted therefor:

(*d*) That the balance sheet does not show as assets unpaid balances owing by agents or other insurers whose accounts have not been verified within the next preceding ninety days.

Commencement of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 47.

An Act to amend The Companies Information Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Companies Information Act, 1931.* Short title.

2. Subsection 1 of section 4 of *The Companies Information Act* is amended by striking out the words "unless a corporation liable to payment of taxes under section 3 of *The Corporations Tax Act*" in the sixth and seventh lines and inserting in lieu thereof the words "unless a corporation registered under *The Loan and Trust Corporations Act*", so that the first twelve lines of the said subsection shall now read as follows: 1928, c. 33, s. 4, subs. 1, amended.

(1) On or before the 1st day of February in each and every year without notice or demand to that effect, every corporation incorporated under the laws of Ontario, and every other corporation having its head or other office or doing business or any part thereof, in the Province of Ontario, shall, unless a corporation registered under *The Loan and Trust Corporations Act*, or unless an insurer licensed under *The Insurance Act*, make out, verify and deliver to the Provincial Secretary as hereinafter required, a detailed return containing as of the 31st day of December next preceding, correctly stated, the following information and particulars: Annual return of the corporation.

3. Section 5 of *The Companies Information Act, 1928*, is amended by adding thereto the following subsection: 1928, c. 33, s. 5, amended.

(2) (*a*) The Provincial Secretary may upon the application of any ten shareholders each of whom has been a shareholder for not less than six months immediately preceding the date of the application or upon the application of more than one-third of the total Appointment of Accountant on application.

number

number of shareholders appoint an accountant to audit the books of the company and to report thereon;

Expenses, who shall bear.

(*b*) The expenses incidental to such audit shall be defrayed by the shareholders applying for the same or the officers of the company or the company itself, as the Provincial Secretary shall direct.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 48.

An Act to amend The Security Frauds Prevention Act, 1930.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Security Frauds Prevention Act, 1931.* Short title.

2.—(1) Section 2 of *The Security Frauds Prevention Act* is amended by adding thereto the following clause: 1930, c. 39, s. 2, amended.

(*aa*) "Board" shall mean such board, commission or body of persons, or such person as may be appointed or designated by the Lieutenant-Governor in Council to administer this Act. "Board."

(2) The clause lettered *e* in the said section 2 is repealed and the following substituted therefor: 1930, c. 39, s. 2, clause e, repealed.

(*e*) "Registrar" shall mean the person appointed by the Lieutenant-Governor in Council to act as Registrar of the Board under the provisions of this Act and the regulations. "Registrar."

3. *The Security Frauds Prevention Act* is further amended by adding thereto the following section to precede Part I: 1930, c. 39, amended.

2*a*.—(1) The Lieutenant-Governor in Council from time to time, by regulation or otherwise may "Board."

(*a*) appoint, establish or designate any board, commission or body of persons or any person as a Board to administer this Act;

(*b*) provide for the appointment of the members, officers and employees of the Board;

(*c*)

(*c*) prescribe powers and duties for any of them on the Board, and

(*d*) approve the salaries of such members, officers and employees as fixed by the Board.

To assume duties on proclamation.

(2) The Board shall have and assume all powers conferred upon the Attorney General by the said Act, and regulations, which shall thereafter be read accordingly, *mutatis mutandis*, and the Board shall assume and continue the entire administration of the said Act and all proceedings pending thereunder on a day to be named by the Lieutenant-Governor by his proclamation, whereupon all registrations shall be reduced to temporary registrations and subject to review by the Board.

Court action in name of Attorney-General.

(3) Where the Board is a Court of record or is a member of another Board which is a court of record, proceedings under subsection 4 of section 8 and under section 12 shall be instituted in the name of the Attorney General.

Expenses

(4) In the absence of any special appropriation of the Legislature available for the purposes of this Act all moneys necessary to meet the salaries and expenses necessarily incurred in the administration of this Act shall be paid out of the Consolidated Revenue Fund.

1930, c. 39, s. 3, subs. 1, clause b, amended.

4.—(1) Clause *b* of subsection 1 of section 3 of *The Security Frauds Prevention Act* is amended by adding at the end thereof the word "or".

1930, c. 39, s. 3, amended.

(2) Section 3 of *The Security Frauds Prevention Act* is amended by adding thereto the following subsection:

New officials must be approved.

(3) No person who becomes a member or official of a partnership or an official of a company, after the partnership or company has been registered under subsection 2 shall trade in securities as such until the partnership or company has received from the Registrar written permission for such person so to trade.

1930, c. 39, s. 14, subs. 1, amended.

5. Subsection 1 of section 14 of *The Security Frauds Prevention Act* is amended by striking out the words "and the broker shall be guilty of an offence" in the last two lines.

1930, c. 39, s. 15, amended.

6. Section 15 of *The Security Frauds Prevention Act* is amended by adding thereto the following subsection:

(2)

(2) No term in a contract between a broker who acts as an agent and any customer relating to any right of the broker in respect of any security shall be binding upon the customer where the Board by notice in writing sent by registered mail to the broker and to every stock exchange operating in Ontario has declared such right to be unreasonable. Terms of contracts may be declared unreasonable.

7. Section 25 of *The Security Frauds Prevention Act* is repealed and the following substituted therefor: 1930, c. 39, s. 25, repealed.

25. Any executive committee may in writing, require any person or company whose affairs have been audited or are being audited to alter, supplement or replace any system of book or record keeping or the course or method of handling securities, borrowing moneys or generally conducting business, in any manner or to alter or dispense with any financial arrangement or business association or affiliation, direct or indirect, of which the executive committee disapproves, and to comply with any recommendation made by the exchange auditor and any requirement of such executive committee. Change of accounting system or business connection.

8. Section 31 of *The Security Frauds Prevention Act* is amended by inserting at the commencement thereof the following words "The Board, subject to the approval of." 1930, c. 39, s. 31, amended.

9. Subsection 4 of section 32 of *The Security Frauds Prevention Act* is amended by adding thereto the following words "or of the Crown Attorney of the County or District in which the offence took place." 1930, c. 39, s. 32, subs. 4, amended.

10. Section 36 of *The Security Frauds Prevention Act* is repealed and the following substituted therefor: 1930, c. 39, s. 36, repealed.

36. Section 17 of *The Audit Act* shall apply *mutatis mutandis* as if the provisions thereof, except the references to the Deputy Attorney General were enacted in and formed part of this Act. Expenses. Rev. Stat., c. 25.

11. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

CHAPTER

CHAPTER 49.

An Act to amend The Insurance Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Insurance Act, 1931.*

Rev. Stat., c. 222, s. 1, amended.

2. Section 1 of *The Insurance Act* is amended by adding thereto the following paragraphs:

"Paid in."

43*a*. "Paid in," when applied to the capital stock of an insurer or to any shares thereof, means the amount paid to the insurer on its shares, not including the premium, if any, paid thereon, whether such shares are or are not fully paid;

"Paid up."

43*b*. "Paid up," when applied to the capital stock of an insurer or to any shares thereof, means capital stock or shares on which there remains no liability, actual or contingent, to the issuing insurer.

Rev. Stat., c. 222, s. 16, subs. 1, amended.

3. Subsection 1 of section 16 of *The Insurance Act* as amended by section 5 of *The Insurance Act, 1929*, is further amended by striking out the word "verify" in the fifth line thereof, and substituting therefor the word "examine."

Rev. Stat., c. 222, amended.

4. *The Insurance Act* is amended by adding thereto the following section:

Requirements where automobile policy issued outside Ontario.

24*a*. It shall be a condition of a license to carry on automobile insurance in Ontario, for breach of which such license may be cancelled, that, in any action or proceeding in Ontario against a licensed insurer, or its insured, arising out of a motor vehicle accident in Ontario, such insurer shall appear, and shall not set up any defence to a claim under a policy issued outside of Ontario which might not be set up if such policy were issued in Ontario, in accordance with the law of Ontario relating to motor vehicle liability policies.

5.

5. Section 25 of *The Insurance Act* is amended by striking out the words "paid up" wherever they appear therein and substituting therefor the words "paid in." Rev. Stat., c. 222, s. 25, amended.

6. Subsection 5 of section 70 of *The Insurance Act* is amended by striking out the words "other than purely mutual corporations insuring only risks other than mercantile and manufacturing on the premium note plan" in the second, third, fourth and fifth lines. Rev. Stat., c. 222, s. 70, subs. 5, amended.

7. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

85.—(1) Where a person incurs liability for injury or damage to the person or property of another, and is insured against such liability, and fails to satisfy a judgment awarding damages against him in respect of his liability, and an execution against him in respect thereof is returned unsatisfied, the person entitled to the damages may recover by action against the insurer the amount of the judgment up to the face value of the policy, but subject to the same equities as the insurer would have if the judgment had been satisfied. Right of claimant against insurer where execution against insured returned unsatisfied.

(2) This section shall not apply to motor vehicle liability policies. Exception.

8. Section 103 of *The Insurance Act* is amended by adding thereto the following subsections: Rev. Stat., c. 222, s. 103, amended.

(2) No licensed insurer shall carry on, on the premium note plan, any class of insurance other than fire, livestock and weather insurance. Insurance on premium note plan.

(3) Sections 104 to 118 shall apply only to contracts made in Ontario. Application of ss. 104-118.

9. *The Insurance Act* is amended by adding thereto the following section: Rev. Stat., c. 222, amended.

106*a*.—(1) No insurer shall make a contract on the premium note plan covering agricultural property, for a term exceeding twelve months, without a written application therefor signed by the applicant, or, in case of the absence of the applicant or his inability to make the application, by his agent other than the agent of the insurer, or by a person having an insurable interest in the property. Written application required.

(2)

Contents of application.

(2) Every written application shall set forth the name, address and occupation of the applicant, the description, location and occupancy of the property to be insured, its value, particulars of any mortgage, lien or other encumbrance thereon, the purpose for which and the location in which any moveable property is deposited or used, particulars of any claims made by the applicant in respect of insured loss or damage by fire, whether any insurer has cancelled any fire insurance policy of, or refused fire insurance to the applicant, particulars of any other fire insurance on the same property, and such other information as the insurer or the Superintendent may require.

Rev. Stat., c. 222, s. 139, subs. 1, repealed.

10. Subsection 1 of section 139 of *The Insurance Act* is repealed and the following substituted therefor:

Sums insurable at age less than ten.

(1) No insurer shall insure the life of a child under ten years of age in any sum, or pay on the death of a child under ten years of age any sum, which alone or together with any sum payable on the death of the child by any other insurer exceeds the following sums respectively:

$100 if the child dies under the age of 1 year.
200 if the child dies under the age of 2 years.
300 if the child dies under the age of 3 years.
400 if the child dies under the age of 4 years.
500 if the child dies under the age of 5 years.
600 if the child dies under the age of 6 years.
700 if the child dies under the age of 7 years.
800 if the child dies under the age of 8 years.
900 if the child dies under the age of 9 years.
1000 if the child dies under the age of 10 years.

Rev. Stat., c. 222, s. 184, amended.

11.—(1) Section 184 of *The Insurance Act* is amended by adding thereto the following subsection:

Provisions governing accident insurance contracts.

(2*a*) Subject to the provisions of subsection 2, contracts insuring against death by accident and not against death from other causes, shall be deemed to be accident insurance contracts within the meaning of this Part and not life insurance contracts within the meaning of Part V.

Rev. Stat., c. 222, s. 184, subs. 4 (1928, c. 35, s. 4), amended.

(2) Subsection 4 of section 184 of *The Insurance Act* as enacted by section 4 of *The Insurance Act, 1928*, is amended by adding after the figures "161" the following words "and no other provisions contained in Part V."

12.—(1) Subsection 8 of section 256 of *The Insurance Act* is amended by adding at the end thereof the following words: Rev. Stat., c. 222, s. 256, subs. 8, amended.

"or (*e*) has employed upon salary or otherwise any person whose application for license as an insurance agent has been refused or whose license has been revoked or suspended under this Part without having first obtained the written approval of the Superintendent."

(2) Section 256 of *The Insurance Act* is amended by adding thereto the following subsection: Rev. Stat., c. 222, s. 256, amended.

(12*a*) No life insurance agent shall be licensed to act as agent for more than one insurer transacting life insurance, and the name of such insurer shall be specified in the license, and no such agent shall represent himself to the public by advertisement or otherwise as the agent of more than one such insurer; provided that, where such an agent is unable to negotiate insurance on behalf of an applicant for insurance with the insurer for which he is the authorized agent, such agent shall have the right to procure such insurance from another insurer if such other insurer obtains in each case the consent in writing of the insurer for which such agent is the authorized agent, and files a copy of such consent with the Superintendent. Authority of life insurance agents.

13. This Act, except section 10 shall come into force on the day upon which it receives the Royal Assent, and section 10 shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

CHAPTER

CHAPTER 50.

The Municipal Amendment Act, 1931.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Municipal Amendment Act, 1931.*

Rev. Stat., c. 233, s. 23, amended.

2.—(1) Subsection 5 of section 23 of *The Municipal Act* is amended by inserting after the word "village" in the second line the words "or 500 electors of a city," and by inserting before the word "town" in the fifth and seventh lines the word "city" so that the said subsection shall now read as follows:

By-law to be submitted on petition for annexation.

(5) If a petition, signed by at least 150 electors of a town or village, or 500 electors of a city, praying that it may be annexed to an adjacent urban municipality, either unconditionally or on such terms as may be stated in the petition, is presented to the council of the city, town or village, the council shall within four weeks after the presentation of the petition submit to the electors of the city, town or village for their assent thereto, a by-law providing for its annexation on the terms mentioned in the petition.

Rev. Stat., c. 233, s. 23, amended.

(2) The said section 23 is further amended by adding thereto the following subsection:

Amalgamation of urban municipalities.

(6) The provisions of this section shall *mutatis mutandis* apply to the amalgamation of two or more urban municipalities, including cities, whether adjacent or not and whether by way of annexation or otherwise, but no such amalgamation shall be approved by the Municipal Board until the same has been assented to by the electors of each such urban municipality.

3.

3. Section 45 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 45, amended.

(2) Where a town not being a separated town, or a village, or a township in a county, has more than 2,000 and not more than 3,000 municipal electors the reeve shall as a member of the county council have an additional vote, and where it has more than 3,000 municipal electors the reeve and the deputy reeve shall as members of the county council each have an additional vote. Vote of reeve and deputy reeve in towns, villages and townships.

4. Subsection 7 of section 46 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 46, subs. 7, repealed.

(7) Notwithstanding anything in any special Act the council of the city of Toronto shall consist of the mayor and four controllers to be elected by general vote, and three aldermen for each ward, except that if that part of the said city lying north of the right-of-way of the Toronto Belt Line Railway Company is made a separate ward there shall be two aldermen only for that ward. Council of city of Toronto.

5.—(1) Subsection 1 of section 51 of *The Municipal Act* as enacted by section 2 of *The Municipal Amendment Act, 1930*, is amended by striking out all the words therein after the figures "1,000" in the third line and inserting in lieu thereof the words "municipal electors to a deputy reeve," so that the subsection shall now read as follows: Rev. Stat., c. 233, s. 51, subs. 1 (1930, c. 44, s. 2), amended.

(1) A town not being a separated town and a village and a township in a county shall each be entitled where it has more than 1,000 municipal electors to a deputy reeve. Deputy reeves in towns, villages and townships.

(2) Nothing in section 3 and in this section nor in section 2 of *The Municipal Amendment Act, 1930*, shall relate to or in any way affect the Townships of York and North York in respect to the reeves and deputy reeves respectively thereof or as members of the county council of the County of York. Saving as to townships of York and North York.

6. Clause *r* of subsection 1 of section 53 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 53 subs. 1, cl. *r*, repealed.

(*r*) A person whose taxes at the time of the election are overdue and unpaid, but this clause shall not apply to a person who is a *bona fide* tenant and qualifies as a householder if such overdue and unpaid taxes as between him and his landlord are taxes the latter ought to pay. Unpaid taxes and exception.

Rev. Stat., c. 233, s. 53, subs. 2, amended.

7. Subsection 2 of section 53 of *The Municipal Act* is amended by adding thereto the following clause:

(*h*) Of his being assessed as the owner of lands against which taxes are overdue and unpaid, if at the time of the election he is not the owner of such lands and if such taxes became due after he ceased to own the said lands.

Rev. Stat., c. 233, s. 56, subs. 1, cl. *d*, amended.

8.—(1) Clause *d* of subsection 1 of section 56 of *The Municipal Act* is amended by inserting the words "or farmer's daughter" after the word "son" in the seventh line.

Rev. Stat., c. 233, s. 56, subs. 6, amended.

(2) Subsection 6 of said section 56 is amended by inserting the words "or farmer's daughter" after the word "son" in the third line, by inserting the words "or she" after the word "he" in the fourth line, by inserting the words "or a farmer's daughter" after the word "son" in the fifth line, and by inserting the words "or her" after the word "his" in the sixth line.

Rev. Stat., c. 233, s. 56, subs. 7, amended.

(3) Subsection 7 of said section 56 is further amended by inserting the words "or farmer's daughter" after the word "son" in the third line.

Rev. Stat., c. 233, s. 57, repealed.

9. Section 57 of *The Municipal Act* is repealed and the following substituted therefor:

57. Subject to sections 60, 61 and 62, every person whose name is entered on the proper voters' list shall be entitled to vote at a municipal election, except that in the case of the wife or husband of a tenant she or he shall not be entitled to vote unless the tenant is a resident of the municipality at the date of and has resided therein for one month next before the election and in the case of a farmer's son or farmer's daughter, he or she is a resident of the municipality at the date of the election.

Rev. Stat., c. 233, s. 58, repealed

10. Section 58 of *The Municipal Act* is repealed and the following substituted therefor:

Qualifications not to be questioned at election except as to non-residence.

58. Except as to the disqualification arising from not residing in the municipality at the time of the election in the case of a farmer's son or farmer's daughter voter, or from the non-payment of taxes in the case of a voter whose name appears on the defaulters list, no question as to the qualifications of any person whose name is entered on the proper list of voters shall be raised at an election.

11. Section 94 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat. c. 233, s. 94, amended.

(2) In cities having a population of not less than 200,000 the ballot papers shall be according to Form 3*a*, and shall contain the names of the candidates arranged as set forth in subsection 1. Form of ballot papers in certain cities.

12. Subsection 1 of section 108 of *The Municipal Act* is amended by inserting after the words "poll clerk" in the second line the words "special constable." Rev. Stat., c. 233, s. 108, subs. 1, amended.

13. Subsection 1 of section 126 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 126, subs. 1, repealed.

(1) All the ballot papers except those rejected shall be counted, and an account shall be kept of the number of votes given and allowed for each candidate, and all the ballot papers shall be put into separate packets as follows,— Procedure on counting ballot papers and votes and placing ballot papers into packets.

(*a*) all the used ballot papers which have not been objected to and have been counted;

(*b*) all the used ballot papers which have been objected to, but which have been counted;

(*c*) all the rejected ballot papers;

(*d*) all the cancelled ballot papers;

(*e*) all the ballot papers used but unmarked;

(*f*) all the declined ballot papers;

(*g*) all the unused ballot papers.

14. Subsection 1 of section 127 of *The Municipal Act* is amended by adding thereto the following clause: Rev. Stat., c. 233, s. 127, subs. 1, amended.

(*ff*) The ballot papers used but unmarked;

15. Section 137 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 137, repealed.

137.—(1) If, within fourteen days after the declaration by the clerk of the result of the election, upon the application of a candidate or voter it is made to appear by affidavit to a judge of the county or district court of the county or district in which the municipality is situate, that a deputy returning Application for recount or re-addition.

officer,

officer, in counting the votes has improperly counted or rejected any ballot paper, or made an incorrect statement of the number of ballots cast for any candidate, or has improperly added up the votes and if within that time the applicant shall have given security for the costs in connection with the recount or final addition of the candidate declared elected of such nature and in such amount as may be fixed by the judge; or if at any time within four weeks after such declaration in a city having a population of not less than 100,000, the council has by resolution declared that a recount or readdition is desirable in the public interest, the judge shall appoint a time and place to recount or readd the votes cast at the election.

Deputy judges in wards of cities of 100,000 population or over.

(2) In all cases of a recount or readdition of the ballots cast for candidates elected by general vote in a city having a population of not less than 100,000, the judge may order that the recount or readdition shall be conducted separately in each ward of such city and for that purpose may appoint for any ward as his deputy, another judge or a barrister of at least ten years' standing at the bar of Ontario to recount or readd the votes cast at the election in such ward and a time and place for such recount or readdition to be held, and every such deputy shall for all the purposes of the recount or readdition and in respect to the ward for which he is appointed, have the powers and perform the duties of the judge as hereinafter in this section set out.

Notice of time and place for recount or readdition.

(3) At least two days' notice in writing of the time and place appointed shall be given to the candidates and to the clerk, and the clerk or an assistant clerk appointed for the purpose shall attend the recount or readdition with the ballot boxes and all documents relating to the election.

Who may attend.

(4) The judge, the clerk, the assistant clerk, and each candidate and his agent appointed to attend the recount or readdition, but no other person except with the sanction of the judge, shall be entitled to be present at the recount.

Which ballots to be readded or recounted.

(5) The recount shall be of the ballots cast respectively for the candidate declared elected when one only is to be elected or in other cases of the candidate who received the lowest number of votes of those declared elected by the clerk and for the defeated candidate who received the highest number of votes for the

same

same office unless any other candidate in writing requires the ballots cast for him to be recounted or readded.

Making readdition or recount.

(6) At the time and place appointed, and in the presence of such of the persons entitled to be present as may attend, the judge shall make such final addition from the statements contained in the ballot boxes returned by the deputy returning officers, or recount all the ballot papers received by the clerk from the several deputy returning officers and the number of votes counted at the election and shall for the purpose of the recount open the sealed packets containing the used ballot papers which were not objected to and were counted, the ballot papers which were objected to but which were counted, the rejected ballot papers, the cancelled ballot papers, the ballot papers which were used but were unmarked, the declined ballot papers and the unused ballot papers.

Proceedings to be continuous.

(7) The judge shall, as far as practicable, proceed continuously, allowing only time for refreshment and excluding, except so far as he and the persons present agree, the hours between six o'clock in the afternoon and nine o'clock in the succeeding forenoon, and during the excluded time the judge shall place the ballot papers and other documents relating to the election close under his own seal and the seal of such of the persons present as desire to affix their seals, and shall otherwise take all necessary precautions for the security of them.

Procedure as at close of poll.

(8) Subject to subsection 9, the judge shall proceed according to the provisions for the counting of the ballot papers and the vote at the close of the poll by a deputy returning officer, and shall verify and correct the statement of the poll.

Evidence may be taken.

(9) If for any reason it appears desirable to do so, the judge upon the application of any party to the proceeding may hear such evidence as he may deem necessary for the purpose of making a full and proper recount of the ballot papers.

Judge's certificate of result.

(10) Upon the completion of the recount the judge shall seal up all the ballot papers in their separate packets and upon the completion of a readdition he shall seal up the original statements in their respective packets, and shall forthwith certify the result of the recount or readdition to the clerk.

(11)

Clerk's declaration of result.

(11) Upon the result of the recount or readdition being certified to him the clerk shall declare elected the candidate so certified as having the highest number of votes, and such declaration shall be deemed for all purposes to have been substituted for the prior declaration made under section 134 if it is different from such prior declaration.

Other remedies not affected.

(12) Nothing in this section shall affect any remedy which any person may have under the provisions hereinafter contained by proceedings in the nature of *quo warranto* or otherwise.

Rev. Stat., c. 233, s. 138, subs. 2, repealed.

16. Subsection 2 of section 138 of *The Municipal Act* is repealed and the following substituted therefor:

Amount or scale of costs.

(2) The judge may in his discretion award costs of the recount or readdition to or against any candidate and may fix the amount of same or order that they be taxed by the clerk of the district or county court on a scale following as nearly as may be the tariff of costs of the county court.

Rev. Stat., c. 233, s. 274, subs. 1, amended.

17. Subsection 1 of section 274 of *The Municipal Act* is amended by adding thereto the following clause:

(*bb*) farmer's daughter.

Rev. Stat., c. 233, s. 297, subs. 2, cl. *f*, repealed.

18. Clause *f* of subsection 2 of section 297 of *The Municipal Act* is repealed and the following substituted therefor:

(*f*) By the council of any municipality with the approval of the Municipal Board for borrowing such sum or sums as may be required to pay or defray the cost or share of the cost of any work or improvement which by the terms of any order of the Board of Railway Commissioners of Canada or of the Municipal Board the municipality is or has been authorized or required to undertake or pay, or of any work or improvement which in the opinion of the Municipal Board is or has been rendered necessary or expedient owing to the construction of any work or improvement ordered by either of the said boards; but where any such work or improvement is or has been merely authorized but not required to be undertaken by the municipality no sum or sums may be borrowed hereunder unless the work was undertaken with the approval of the Municipal Board.

Rev. Stat., c. 233, s. 329, amended.

19. Section 329 of *The Municipal Act* is amended by adding thereto the following subsection:

(5)

(5) Any debenture heretofore issued or hereafter to be issued shall be sufficiently signed by the head of the council if it bears the signature, as hereinbefore in this section provided, of the person who was the head of the council either at the date of the debenture or at the time when it was issued. Signature to debentures.

20. Section 335 of *The Municipal Act* is amended by adding at the end thereof the following words: Rev. Stat., c. 233, s. 335, amended.

"and to borrow from time to time by the issue and sale of debentures such sum as may be necessary to repay such advances."

21. Section 368 of *The Municipal Act* is amended by adding thereto the following subsection: Rev. Stat., c. 233, s. 368, amended.

(3) The council may grant pecuniary aid or other assistance to the widows and children of members of the police force who are killed or die from injuries received or from illness contracted in the discharge of their duties. Aid to widows and children of members of police force in certain cases.

22. Subsection 2 of section 378 of *The Municipal Act* is amended by striking out the words "which is the county town" in the second line and inserting in lieu thereof the words "whether such city or separated town is the county town or not." Rev. Stat., c. 233, s. 378, subs. 2, amended.

23. Subsection 1 of section 380 of *The Municipal Act* is amended by striking out the words "the Inspector of Prisons and Public Charities" in the fifth and sixth lines and inserting in lieu thereof the words "an inspector appointed under *The Public Institutions Inspection Act, 1931.*" Rev. Stat., c. 233, s. 380, subs. 1, amended.

24. Clause *a* of subsection 4 of section 384 of *The Municipal Act* is amended by striking out the words "within the county town" in the first line. Rev. Stat., c. 233, s. 384, subs. 4, cl. *a*, amended.

25. Subsection 1 of section 393 of *The Municipal Act* is amended by striking out the words "the Inspector of Prisons and Public Charities" in the second line and inserting in lieu thereof the words "an inspector appointed under *The Public Institutions Inspection Act, 1931.*" Rev. Stat., c. 233, s. 393, subs. 1, amended.

26. Paragraph 1 of section 397 of *The Municipal Act* is amended by inserting after the word "drier" in the fifth line the words "or a cold storage plant receiving financial aid from the Department of Agriculture of the Province of Ontario." Rev. Stat. c. 233, s. 397, subs. 1, amended.

27. Paragraph 16 of section 399 of *The Municipal Act* is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 399, para. 16, repealed.

Purchase of fire hall site, etc.

16. For acquiring land for and erecting thereon a fire hall and for purchasing and installing fire engines, apparatus and appliances for fire-fighting and fire protection at a cost not exceeding $20,000, and for the issue of debentures therefor payable in equal annual instalments of principal and interest during a period not exceeding ten years.

(*a*) It shall not be necessary to obtain the assent of the electors to the by-law if it is passed by a vote of two-thirds of all the members of the council.

(*b*) No by-law shall be passed under the authority of this paragraph while any debentures issued under a by-law previously passed thereunder are outstanding and unpaid unless the approval of the Municipal Board is obtained.

Rev. Stat., c. 233, s. 399, par. 43, amended.

28. Paragraph 43 of section 399 of *The Municipal Act* is amended by inserting after the word "from" in the first line the words "soliciting or."

Rev. Stat., c. 233, s. 409, amended.

29. Section 409 of *The Municipal Act* is amended by adding thereto the following paragraph:

Establishment of county farms.

9. For acquiring lands in the county and erecting thereon farm and other buildings and for establishing, developing, improving, equipping, operating and maintaining such lands and buildings as a county farm for educational, experimental and other purposes in the promotion and advancement of agriculture in all its branches, and for the issue of debentures therefor, other than for the expenses of operation and maintenance.

(*a*) It shall not be necessary to obtain the assent of the electors to any by-law passed under this paragraph if it is passed by a vote of two-thirds of all the members of the council.

(*b*) A county council which has established a county farm under this paragraph may enter into agreements with the Minister of Agriculture for its development, improvement and equipment and for its operation and maintenance by or in conjunction with the Department of Agriculture for such periods and upon such terms and conditions as from time to time may be agreed.

30. Paragraph 9 of section 411 of *The Municipal Act* is amended by inserting after the words "wheeled vehicle" in the second line the words "other than a motor vehicle as defined in *The Highway Traffic Act*." Rev. Stat., c. 233, s. 411, par. 9, amended.

31. Section 412 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 412, amended.

2. For prohibiting or for regulating and controlling the location or erection within any defined area or areas or on land abutting on defined highways or parts of highways of any incinerator or other building, plant or machinery to be used for the destruction or disposal of garbage, ashes or other refuse. Location of incinerator plants, etc.

32. Paragraph 3 of section 414 of *The Municipal Act* as re-enacted by section 9 of *The Municipal Amendment Act, 1929*, is repealed and the following substituted therefor: Rev. Stat., c. 233, s. 414, par. 3 (1929, c. 58, s. 9), repealed.

3. For exercising the powers conferred on cities by paragraphs 2 to 13 of section 411 and by section 412. Controlling location of certain businesses, etc.

(*a*) This paragraph shall not apply to a building which was on the day the by-law is passed erected or used for any of the purposes enumerated in said sections 411 and 412.

33. Paragraph 2 of section 429 of *The Municipal Act* is amended by striking out the words "and other" in the fourth line and inserting in lieu thereof the words "public halls and all" so that the paragraph shall now read as follows: Rev. Stat., c. 233, s. 429, par. 2, amended.

2. For regulating and licensing, subject to the provisions of *The Theatres and Cinematographs Act*, exhibitions held for hire or gain, theatres, music halls, bowling alleys, moving-picture shows, public halls and all places of amusement, and for prohibiting the location of them or a particular class of them on land abutting on any highway or part of a highway to be named in the by-law and for revoking any license granted. Amusement places, etc.

34. Section 430 of *The Municipal Act* is amended by adding thereto the following paragraph: Rev. Stat., c. 233, s. 430, amended.

3. For licensing, regulating and governing persons selling newspapers and magazines upon any highway and for restricting the operations of such persons to a particular location upon a highway and for restricting the operations of such persons to the sale of newspapers and magazines only and for prohibiting the selling or offering for sale upon any highway of books, periodicals, pamphlets or other printed matter except newspapers and magazines and for revoking any license granted. Sale of newspapers and magazines on streets.

35.

Rev. Stat., c. 233, s. 431, par. 2, amended.

35. Paragraph 2 of section 431 of *The Municipal Act* is amended by striking out the words "newspapers and" in the second line.

Rev. Stat., c. 233, s. 431a (1928, c. 37, s. 16), amended.

36. Section 431*a* of *The Municipal Act* as enacted by section 16 of *The Municipal Amendment Act, 1928*, is amended by adding at the end of the heading thereof the following words:

"and by councils of townships bordering on a city having a population of not less than 100,000."

Rev. Stat., c. 233, s. 437, repealed.

37. Section 437 of *The Municipal Act* is repealed and the following substituted therefor:

Expenses of entertaining guests and for travelling on civic business.

437. The council of a city, town, village, county or township may pay for or towards the reception or entertainment of persons of distinction or the celebration of events or matters of national interest or importance, or for or towards travelling or other expenses incurred in respect to matters pertaining to or affecting the interests of the corporation, a sum not exceeding in any year in the case of

(*a*) a city having a population of not less than 200,000—$30,000;

(*b*) a city having a population of not less than 100,000—$20,000;

(*c*) a city having a population of not less than 50,000—$10,000;

(*d*) a city or town having a population of not less than 20,000—$2,500;

(*e*) a city or town having a population of not less than 10,000—$1,000;

(*f*) a county—$1,500;

(*g*) other municipalities—$500.

Rev. Stat., c. 233, s. 534, amended.

38. Section 534 of *The Municipal Act* is amended by adding thereto the following subsection:

Length of sidewalk to be cleared by owner.

(4) Where a by-law is passed under clause (*e*) of subsection 1, the maximum length or distance of sidewalks adjoining land occupied and used as farm lands for which the occupant or owner thereof may be required to clear away and remove snow and ice or be charged with the expense of such clearing away

and

and removal shall be limited to two hundred lineal feet notwithstanding that a greater length or distance of sidewalks may adjoin such land, and the clearing away and removal of snow and ice from such greater length or distance shall be undertaken by the trustees at the expense of the police village.

Rev. Stat c. 233, amended.

39. Form 3*a* set forth in schedule "A" hereto is added to *The Municipal Act*.

Commencement of Act

40. This Act, other than sections 3, 5, 8 and 17 and so much of the provisions of sections 9 and 10 as relate to farmers' daughters, shall come into force on the day upon which it receives the Royal Assent. Sections 3 and 5 shall come into force at the time necessary and shall take effect for the purposes of the annual municipal elections for the year 1932 and for all purposes shall come into force on the 1st day of January, 1932. Sections 8 and 17 and so much of the provisions of sections 9 and 10 as relate to farmers' daughters shall take effect as may be necessary for annual municipal elections for the year 1933, whether the same are to be held under the provisions of section 72 or under the provisions of sections 73, 74 or 75 of *The Municipal Act*, and for all purposes shall come into force on the 1st day of January, 1933.

SCHEDULE

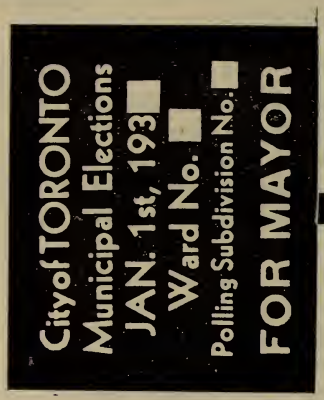
SCHEDULE "A"

FORM 3a

BALLOT PAPER FOR CITIES

OF NOT LESS THAN 200,000 POPULATION

Form for Mayor and Controllers



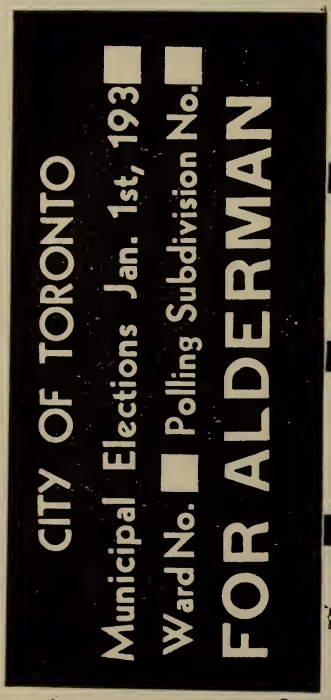
ALLAN

Charles Allan,
of King Street,
in the City of Toronto,
Merchant.

BROWN

William Brown,
of the City of Toronto,
Banker.

Form for Aldermen



ARGO

James Argo,
of the City of Toronto,
Gentleman.

BAKER

Samuel Baker,
of the City of Toronto,
Baker.

DUNCAN

Robert Duncan,
of the City of Toronto,
Printer.

ROBINSON

Archibald Robinson,
of the City of Toronto,
Butcher.

CHAPTER 51.

The Assessment Amendment Act, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Assessment Amendment Act, 1931.* Short title.

2. Subsection 3 of section 24 of *The Assessment Act* is amended by adding the words "or farmer's daughter" after the word "son" and the word and letters "or 'F.D.'" in the eighth line of the paragraph thereof relating to column 5 of the assessment roll. Rev. Stat., c. 238, s. 24, subs. 3, amended.

3. Subsection 6 of section 24 of *The Assessment Act* is repealed and the following substituted therefor: Rev. Stat., c. 238, s. 24, subs. 6, repealed.

(6) In a city or town the form may be varied so as to give any additional information required owing to changes in the boundaries of the municipality or other like causes, or so as to allow the same to be adapted to mechanical bookkeeping methods in the preparation of the roll, and columns may be omitted which are inapplicable to a city or town. Variation of roll in cities and towns.

4.—(1) Subsection 1 of section 28 of *The Assessment Act* is amended by adding thereto the following clause: Rev. Stat., c. 238, s. 28, subs. 1, amended.

(*f*) "Daughter," "daughters," "farmer's daughter" and "farmers' daughters" shall mean daughter or daughters, step-daughter or step-daughters of the full age of twenty-one years not otherwise entitled to be entered on the voters' list. "Farmer's daughter."

(2) Subsection 2 of said section 28 is amended by inserting the words "and daughters" after the word "sons" in the third line Rev. Stat., c. 238, s. 28, subs. 2, amended.

line and by adding the words "or farmers' daughters, as the case may be" at the end of said subsection.

Rev. Stat., c. 238, s. 28, subs. 3, amended.

(3) Subsection 3 of said section 28 is amended by inserting the words "or daughter" after the word "son" in the third line and by inserting the words "or daughter" after the word "son" in the fourth line.

Rev. Stat., c. 238, s. 28. amended.

(4) The said section 28 is amended by adding thereto the following subsections:

Right of daughter to vote where no sons.

(5*a*) Where a father or mother has no sons, the daughters, if any, shall for the purposes of subsections 4 or 5 be entitled to be entered on the roll as farmers' daughters in the same manner and to the same extent as the sons, if there had been sons, would have been entitled to be entered on the roll.

Right of daughter to vote where sons also vote.

(5*b*) Where a father or mother has sons and daughters and the farm is assessed at an amount more than sufficient to entitle the father or mother and all the sons to be entered on the roll, but is not assessed for an amount sufficient to qualify also all such daughters to vote at a municipal election, so many of the daughters in the order mentioned for sons in subsection 4 as the amount at which the farm is assessed if equally divided between the father, mother and the sons and daughters would be sufficient to qualify shall be entitled to be entered on the roll as farmers' daughters.

Rev. Stat., c. 238, s. 28, subs. 6, amended.

(5) Subsection 6 of said section 28 is amended by inserting the words "or farmer's daughter" after the word "sons" in the third line.

Rev. Stat., c. 238, s. 40, amended.

5. Section 40 of *The Assessment Act* is amended by adding thereto the following subsections:

Income from mining reserves to be assessable.

(11) The income from a rest or reserve or surplus fund established by the owner or operator of a mine or mineral work in so far as it is, with accrued interest thereon, derived from the profits of the mine shall be assessed by and the tax leviable thereon shall be paid to the municipality within which such mine or mineral work is situate.

Apportionment of assessment where mine situate in two or more municipalities.

(12) Where such fund is derived in whole or in part from a mine or mineral work situate partly in one municipality and partly in another each municipality shall have power to assess and tax the income

from

from so much of such fund as was derived from the profits of that part of the mine or mineral work situate in the municipality assessing.

Returns of income to be made.

(13) It shall be the duty of the owner, manager, holder, tenant, lessee, occupant or operator of the mine or mineral work to make a return to the assessor of the municipality, when required by him showing the total amount of such fund and the amount of income received from it during the year ending on the 31st day of December then last past and also in the case of a mine or mineral work situate in more than one municipality the amount of such fund derived from the profits of that part of the mine or mineral work situate in each municipality and the provisions of section 23 shall apply in respect of such return.

Mining Assessor to settle disputes.

(14) Notwithstanding anything in this Act contained any dispute arising in respect to any of the matters covered by subsections 12, 13 and 14 shall be determined by the mine assessor on an application to him, and for such purpose he may exercise the powers conferred on him by *The Mining Tax Act* and his determination of the dispute shall be final and binding and without appeal.

Rev. Stat., c. 238, s. 48, amended.

6. Section 48 of *The Assessment Act* is amended by inserting after the word "bridge" in the first line the words "or tunnel."

Rev. Stat., c. 238, s. 49, amended.

7. Section 49 of *The Assessment Act* is amended by inserting after the word "bridge" in the first line the words "or tunnel."

Rev. Stat., c. 238, amended.

8. *The Assessment Act* is amended by adding thereto the following section:

County not to include income assessment in equalization.

96*a*.—(1) Notwithstanding anything in this Act or any other special or general Act contained, income assessments of a local municipality forming part of a county shall not be included in any statement given to the county clerk, nor shall they be included in, but shall be excluded from, any valuation and equalization by a county council of rateable property in the county for any county purpose, and the ascertainment, imposition or levy by a county council of any rate for county purposes shall be made and raised upon and from the equalized assessment of real property and business assessments only in the county.

Local municipality to levy county rates on all rateable property including income assessments.

(2) When under this Act or any other special or general Act any rate is directed or required to be levied in a local municipality forming part of a county for county

county purposes, the same shall in the local municipality be calculated and levied upon and against the whole rateable property including assessments of income within such local municipality according to the last revised assessment roll thereof.

Rev. Stat., c. 238, s. 98, amended.

9. Section 98 of *The Assessment Act* is amended by adding thereto the following subsection:

Avoidance of double income taxation on removal.

(4) If, notwithstanding his removal from the municipality any person is under the provisions of subsection 3 liable for rates levied in any year upon an assessment in respect of income, such person shall not in the municipality to which he has removed be liable for rates levied by such latter municipality in the same year upon an assessment in respect of income.

Rev. Stat., c. 238, s. 102, amended.

10. Section 102 of *The Assessment Act* is amended by adding thereto the following subsection:

Variation of tax roll in cities and towns.

(2*a*) In a city or town the form of the collector's roll may be varied so as to allow the same to be adapted to mechanical methods of accounting and bookkeeping.

Rev. Stat., c. 238, s. 107, subs. 2, amended.

11. Subsection 2 of section 107 of *The Assessment Act* is amended by adding the words "clerk or treasurer" at the end of the first line thereof so that the subsection shall now read as follows:

How notice may be given in cities, towns, townships and villages

(2) In cities, towns, townships and villages, the collector, clerk or treasurer may, if so authorized by by-law of the municipality (which by-law the council of the municipality is hereby empowered to pass), mail the notice or cause the same to be mailed to the address of the residence or place of business of such person.

Rev. Stat., c. 238, s. 111, subs. 7, repealed.

12. Subsection 7 of section 111 of *The Assessment Act* is repealed and the following substituted therefor:

Provision for payment of taxes into bank.

(7) The council of any municipality may by by-law direct that moneys payable to the municipality for taxes or rates and upon such other accounts as may be mentioned in the by-law shall be by the collector of taxes or by the person charged with the payment thereof paid into such chartered bank of Canada, as the council shall by such by-law direct to the credit of the treasurer of the municipality, and in such case the person making the payment shall

obtain

obtain a receipt from the bank therefor, and the treasurer or collector of taxes shall make the proper entries therefor in the books of the municipality.

13. Section 111 of *The Assessment Act* is further amended by adding thereto the following subsection: Rev. Stat., c. 238, s. 111, amended.

(8) The council of any municipality may by by-law authorize the treasurer and the collector of taxes to accept part payment from time to time on account of any taxes due and to give a receipt for such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectible under subsection 2 in respect to non-payment of any taxes or any class of taxes or of any instalment thereof. By-law to authorize part payment of taxes due.

14. Form 10 of *The Assessment Act* is amended by striking out the figures "119" in the sixth line of the last paragraph and inserting in lieu thereof the figures "125." Rev. Stat., c. 238, Form 10, amended.

15. This Act other than sections 2, 4 and 5 shall come into force on the day upon which it receives the Royal Assent. Sections 2 and 4 shall come into force on the 1st day of January, 1932. Section 5 shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation. Commencement of Act.

CHAPTER

CHAPTER 52.

An Act to Confirm Tax Sales and Deeds.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Tax Sales Confirmation Act, 1931.*

Confirmation of tax sales and deeds.

2. All sales of land situate within any municipality in Ontario held prior to the 31st day of December, 1928 and purporting to have been made for arrears of taxes payable to a municipal corporation in respect to the lands so sold are confirmed and declared to be legal, valid and binding, and all conveyances of lands so sold, executed as required by *The Assessment Act*, purporting to convey the said lands to the purchaser thereof or his heirs or assigns or to such municipal corporation are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested, in the purchaser or his heirs, or assigns and in his heirs and assigns or in the said municipal corporation and its successors and assigns as the case may be in fee simple or otherwise according to the nature of the estate or interest sold free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were so sold.

Rev. Stat., c. 238.

Pending litigation not affected.

3. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Not to apply to lands forfeited under Rev. Stat., c. 28.

4. This Act shall not apply to lands forfeited to the Crown under *The Mining Tax Act.*

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 53.

An Act to amend The Municipal and School Accounts Audit Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal and School Accounts Audit Act, 1931.* Short title.

2. Section 10 of *The Municipal and School Accounts Audit Act* is amended by adding thereto the following subsection: Rev. Stat., c. 243, s. 10, amended.

(1*a*) An audit of the books, accounts, vouchers and money of any municipal corporation made under this Act shall, if the Auditor deems it desirable or necessary, include or be confined to an audit of the books, accounts, vouchers and money of any commission managing a public utility work or undertaking of a municipal corporation other than a public utility work or undertaking for the supply of electrical power or energy obtained directly or indirectly from The Hydro-Electric Power Commission of Ontario. Audit to extend to accounts of local utility commission.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 54.

An Act to amend The Highway Traffic Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Highway Traffic Amendment Act, 1931.*

Rev. Stat., c. 251, s. 1, cl. *g*, amended.

2. Clause (*g*) of section 1 of *The Highway Traffic Act* is amended by striking out the words "Public Works and" in the first line.

Rev. Stat., c. 251, s. 4, subs. 1, amended.

3.—(1) Subsection 1 of section 4 of *The Highway Traffic Act* is amended by striking out the words "and every trailer" in the second line.

S. 4, subs. 3, amended.

(2) Subsection 3 of the said section 4 is amended by striking out all of the words after the word "goods" in the eighth line.

S. 4, amended.

(3) The said section 4 is further amended by adding thereto the following subsection:

Rear number plate on trailer.

(5*a*) Every trailer while being drawn on a highway shall have exposed on the back thereof, in a conspicuous position, a number plate furnished by the Department showing in plain figures the number of the permit issued for the current year.

Rev. Stat., c. 251, s. 9, subs. 1, amended.

4.—(1) Subsection 1 of section 9 of *The Highway Traffic Act* is amended by adding at the end thereof the words "from the front or rear, as the case may be."

S. 9, subs. 18, cl. (*a*), amended.

(2) Clause (*a*) of subsection 18 of the said section 9 is amended by adding at the end thereof the words "from the front and from the rear of the vehicle."

Rev. Stat., c. 251, s. 11, subs. 1 (1930 c. 48, s. 4), amended.

5. Subsection 1 of section 11 of *The Highway Traffic Act* as enacted by section 4 of *The Highway Traffic Amendment Act, 1930* (No. 2), is amended by inserting after the word "vehicle" in the first line the words "other than a motorcycle."

6.

6. Section 22 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 22, amended.

(4*a*) If a motor vehicle which shows evidence of having been involved in a serious accident or having been struck by a bullet is brought into a garage or repair shop the person in charge of the garage or repair shop shall forthwith report the same to the nearest provincial or municipal police officer, giving the name and address of the owner or operator and also the permit number and a description of the vehicle. Garages to report to police in respect to cars damaged in accidents or showing signs of shooting.

7. *The Highway Traffic Act* is amended by adding thereto the following section: Rev. Stat. c. 251, amended.

27*a*.—(1) Subject to the provisions of sections 26 and 27 no motor vehicle shall be driven upon a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when such slow rate of speed is necessary for safe operation having regard to all the circumstances. Unnecessary slow driving prohibited.

(2) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than $5 and not more than $50 and for any subsequent offence not less than $10 and not more than $100 and in addition his license or permit, or both, may be suspended for any period not exceeding thirty days. Penalty.

8. Subsection 8 of section 31 of *The Highway Traffic Act* as enacted by section 8 of *The Highway Traffic Amendment Act, 1929*, is amended by striking out the words "Public Works and" in the second line. Rev. Stat., c. 251, s. 31, subs. 8 (1929, c. 68, s. 8), amended.

9. Subsection 1 of section 34 of *The Highway Traffic Act* as enacted by subsection 1 of section 7 of *The Highway Traffic Amendment Act, 1930* (*No. 2*), is amended by striking out all of the words after the word "vehicle" in the seventh line and inserting in lieu thereof the words "provided that the Department may by regulation designate any vehicle or classes of vehicles to which any or all of the provisions of this subsection shall not apply." Rev. Stat., c. 251, s. 34, subs. 1 (1930, c. 48, s. 7, subs. 1) amended.

10. Subsection 1 of section 35 of *The Highway Traffic Act* as enacted by subsection 1 of section 8 of *The Highway Traffic Amendment Act, 1930* (No. 2), is amended by adding thereto the following clauses: Rev. Stat., c. 251, s. 35, subs. 1, (1930, c. 48, s. 8, subs. 1), amended.

(*b*)

Rule for right turn at intersections.

(*b*) The driver or operator of a vehicle intending to turn to the right into an intersecting highway shall approach such intersection and turn as closely as practicable to the right curb or edge of the travelled portion of the highway.

Rule for left turn at intersections.

(*c*) The driver or operator of a vehicle intending to turn to the left into an intersecting highway shall approach such intersection as closely as practicable to the centre line of the highway and continue beyond the centre of the intersection before turning.

Signal for left turn.

(*d*) The driver or operator of a vehicle upon a highway before turning to the left from a direct line shall first see that such movement can be made in safety, and if the operation of any other vehicle may be affected by such movement shall give a signal plainly visible to the driver or operator of such other vehicle of the intention to make such movement.

Mode of signalling for left turn.

(*e*) The signal required in clause (*d*) shall be given either by means of the hand and arm in the manner herein specified or by a mechanical or electrical signal device which has been approved by the Department.

How to signal manually.

(*f*) Whenever the signal is given by means of the hand and arm the driver or operator shall indicate his intention to turn by extending the hand and arm horizontally from and beyond the left side of the vehicle.

Rev. Stat., c. 251, amended.

11. *The Highway Traffic Act* is amended by adding thereto the following section:

Parking cars on highways and at curves.

35*a*.—(1) No person shall park or leave standing any vehicle, whether attended or unattended, upon the travelled portion of a highway, outside of a city, town or village, when it is practicable to park or leave such vehicle off the travelled portion of such highway; provided that, in any event, no person shall park or leave standing any vehicle, whether attended or unattended, at a curve upon such a highway unless a clear view of such vehicle may be obtained from a distance of at least two hundred feet in each direction upon such highway.

Removal of car parked at prohibited place.

(2) Whenever a police constable or an officer appointed for carrying out the provisions of this Act shall find a vehicle upon a highway in violation of the provisions of this section, he may move such

vehicle

vehicle or require the driver or operator or other person in charge of such vehicle to move the same.

(3) The provisions of this section shall not apply to the driver or operator of a vehicle which is so disabled while on a highway that it is impossible to avoid temporarily a violation of such provisions. Disabled cars.

(4) Any person who violates any of the provisions of this section shall incur for the first offence a penalty of not less than $5 and not more than $50 and for any subsequent offence not less than $10 and not more than $100 and in addition his license or permit, or both, may be suspended for any period not exceeding thirty days. Penalty.

12. Section 39 of *The Highway Traffic Act* is amended by adding thereto the following subsection: Rev. Stat., c. 251, s. 39, amended.

(1*a*) No person shall, while on the travelled portion of a highway, solicit a ride from the driver or operator of a motor vehicle other than a public vehicle. Soliciting rides prohibited.

13. Subsection 1 of section 44 of *The Highway Traffic Act* is amended by striking out all of the words after the word "Act" in the fourth line. Rev. Stat., c. 251, s. 44, subs. 1, amended.

14. Clauses (*a*), (*b*) and (*c*) of section 47*a* of *The Highway Traffic Act* as enacted by section 5 of *The Highway Traffic Amendment Act, 1930*, are repealed and the following substituted therefor: Rev. Stat., c. 251, s. 47*a* (1930, c. 47, s. 5), amended.

(*a*) Such notice or process may be served by leaving a copy thereof with or at the office of the Registrar, together with a bond in form and by sureties approved by the Registrar in the sum of $200 conditioned on the failure of the plaintiff to prevail in the action for the purpose of reimbursing the defendant for the expenses necessarily incurred by him in defending the action in Ontario. Service of notice, etc.

(*b*) Such service shall be sufficient service if notice of such service and a copy of the notice and process are forthwith sent by registered mail to the defendant and the defendant's return receipt is filed with the registrar or clerk of the court in which the action or proceeding is brought. Sufficiency of service.

15. Subsection 3 of section 53 of *The Highway Traffic Act* is repealed. Rev. Stat., c. 251, s. 53, subs. 3, repealed.

16.

Rev. Stat. c. 251, s. 58, subs. 1, amended.

16. Subsection 1 of section 58 of *The Highway Traffic Act* is amended by inserting after the words and figures "under section 16" in the ninth line the words and figures "or section 66," and by striking out the words "and the name, address and description of his employer" in the tenth and eleventh lines, and by inserting after the words and figures "under section 16" in the sixteenth line the words and figures "or section 66, as the case may be."

Rev. Stat. c. 251, s. 70, clause (*f*) (1930, c. 47, s. 6), repealed.

17. Clause (*f*) of section 70 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is repealed and the following substituted therefor:

"State." (*f*) "State" means any state of the United States of America or the District of Columbia.

Rev. Stat. c. 251, s. 72, subs. 1 (1930, c. 47, s. 6) amended.

18.—(1) Subsection 1 of section 72 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by adding after the words "owner's permit" in the first line the words "or permits."

Rev. Stat. c. 251, s. 72, subs. 3 (1930, c. 47, s. 6) amended.

(2) Subsection 3 of section 72 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by adding at the end thereof the following words:

"provided that the police magistrate or justice of the peace before whom such person was charged may, in his discretion, by a written permit signed by him, authorize the operation of such motor vehicle to the boundaries of the province by such route and by such person as the permit may describe."

Rev. Stat. c. 251, s. 73, (1930, c. 47, s. 6) amended.

19. Section 73 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by adding thereto the following subsection:

Reciprocal effect of subs. 1 with states having similar legislation.

(1*a*) The Lieutenant-Governor in Council, upon the report of the Minister that a state has enacted legislation similar in effect to subsection 1 and that such legislation extends and applies to judgments rendered and become final against residents of that state by any court of competent jurisdiction in Ontario, may, by proclamation, declare that the provisions of subsection 1 shall extend and apply to judgments rendered and become final against residents of Ontario by any court of competent jurisdiction in such state.

Rev. Stat. c. 251, s. 77, (1930, c. 47, s. 6) amended.

20. Section 77 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended

amended by inserting at the commencement thereof the words "Subject to the provisions of subsection 2*a* of section 78."

Rev. Stat. c. 251, s. 78, subs. 1 (1930, c. 47, s. 6) amended.

21.—(1) Subsection 1 of section 78 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by inserting at the commencement thereof the words "Subject to the provisions of subsection 2*a* of section 78.

Rev. Stat. c. 251, s. 78, (1930, c. 47, s. 6) amended.

(2) The said section 78 is amended by adding thereto the following subsection:

Fleet of cars.

(2*a*) In the case of an owner of ten or more motor vehicles to whom this Part applies, proof of financial responsibility in a form and in an amount, not less than $50,000, satisfactory to the Minister, may be accepted as sufficient for the purposes of this Part.

Rev. Stat. c. 251, s. 78, subs. 3 (1930, c. 47, s. 6) repealed.

(3) Subsection 3 of the said section 78 is repealed and the following substituted therefor:

Proof by non-residents.

(3) A person who is not a resident of Ontario may, for the purposes of this Part, give proof of financial responsibility as provided in subsection 1 or by filing a certificate of insurance in form approved by the Registrar issued by any insurer authorized to transact insurance in the state or province in which such person resides, provided such insurer has filed with the Registrar in the form prescribed by him:

(*a*) a power of attorney authorizing the Registrar to accept service of notice or process for itself and for its insured in any action or proceeding arising out of a motor vehicle accident in Ontario;

(*b*) an undertaking to appear in any such action or proceeding of which it has knowledge; and

(*c*) an undertaking not to set up as a defence to any claim, action or proceeding under a motor vehicle liability policy issued by it, a defence which might not be set up if such policy had been issued in Ontario in accordance with the law of Ontario relating to motor vehicle liability policies, and to satisfy up to the limits of liability stated in the policy, any judgment rendered and become final against it or its insured by a court in Ontario in any such action or proceeding.

(4)

Rev. Stat. c. 251, s. 78, (1930, c. 47, s. 6) amended.

(4) The said section 78 is amended by adding thereto the following subsection:

Default of insurer.

(4) If an insurer which has filed the documents described in subsection 3 defaults thereunder, certificates of any such insurer shall not thereafter be accepted as proof of financial responsibility under this Part so long as such default continues, and the Registrar shall forthwith notify the Superintendent of Insurance and the registrar of motor vehicles or other officer or officers, if any, in charge of registration of motor vehicles and the licensing of operators in all provinces and states where the certificates of such insurer are accepted as proof of financial responsibility.

Rev. Stat. c. 251, s. 87, subs. 1, cl. *a*, (1930, c. 47, s. 6), amended.

22.—(1) Clause *a* of subsection 1 of section 87 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by adding at the end thereof the words "for both injury to the person and property damage as above prescribed; or,".

Rev. Stat. c. 251, s. 87, subs. 1, cl. *b*, (1930, c. 47, s. 6), amended.

(2) Clause *b* of said subsection 1 is amended by adding at the end thereof the words "or for both injury to the person and property damage as above prescribed."

Rev. Stat. c. 251, s. 87, (1930, c. 47, s. 6), amended.

(3) The said section 87 is amended by adding thereto the following subsection:

Special form of policy.

(1*a*) Notwithstanding the provisions of subsection 1, where the coverage prescribed thereby is inconsistent with the coverage required under any other Act or is, in the opinion of the Superintendent, unsuitable to any special form of contract he may approve a form of motor vehicle liability policy sufficient or appropriate to insure the risks required or proposed to be insured, and any form of policy so approved shall be valid.

Rev. Stat. c. 251, s. 87, subs. 3, (1930, c. 47, s. 6), amended.

(4) Subsection 3 of said section 87 is amended by striking out the words "in his opinion, specifying the reasons therefor, the form of policy does not comply with the law of Ontario" and substituting therefor the words "the form of policy is not approved, specifying the reasons therefor."

Rev. Stat. c. 251, s. 87, (1930, c. 47, s. 6), amended.

(5) The said section 87 is further amended by adding thereto the following subsections:

Notification of accidents by insurers.

(9) Where a person, who is not a resident of Ontario, is a party to an action for damages arising out of a motor vehicle accident in Ontario for which

indemnity

indemnity is provided by a motor vehicle liability policy, the insurer named in the policy shall, as soon as it has knowledge of the action from any source, and whether or not liability under such policy is admitted, notify the Registrar in writing, specifying the date and place of the accident and the names and addresses of the parties to the action and of the insurer, which notification shall be open to inspection by parties to the action.

Default of insurer to notify.

(10) Notwithstanding anything in this Part contained, the Registrar may decline to accept as proof of financial responsibility the certificates of any insurer which fails to comply with the provisions of subsection 9.

Rev. Stat. c. 251, s. 89, subs. 1 (1930, c. 47, s. 6) amended.

23. Subsection 1 of section 89 of *The Highway Traffic Act* as enacted by section 6 of *The Highway Traffic Amendment Act, 1930*, is amended by inserting after the word "investigates" in the first line the words "and every Crown attorney and police officer having a knowledge of."

Commencement of Act.

24. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 55.

An Act to amend The Local Improvement Act.

Assented to April 2nd, 1931.

HIS MAJESTY, and by with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Rev. Stat., c. 235, s. 46, amended.

1. Section 46 of *The Local Improvement Act* is amended by adding thereto the following subsection:

Consolidating by-law may authorize debentures of different terms of years.

(4) In cities a consolidating by-law passed under subsection 1 may authorize the issue of debentures in one series notwithstanding that some of such debentures may be for different terms of years from the other debentures to be issued thereunder, provided the sum to be raised in each year under the consolidating by-law shall equal the aggregate of the sums which would have been raised under the separate by-laws had no consolidating by-law been passed.

Rev. Stat., c. 235, s. 59, subs. 2, repealed.

2. Subsection 2 of section 59 of *The Local Improvement Act* is repealed and the following substituted therefor:

Assessment of cost of waterworks on rateable property in area.

(2) When the work undertaken is the construction of waterworks the whole cost of construction and the annual cost of managing and maintaining the work shall be assessed by a special rate on the whole rateable property in the area, and with respect to any such work it shall not be necessary to serve notice of intention to construct the work upon owners of the lots in the area and the provisions of section 12 with respect to service of notice and the provisions of sections 34 to 44 of this Act shall not apply to the work.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 56.

An Act to amend The Municipal Drainage Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Municipal Drainage Amendment Act, 1931.* Short title.

2. Section 8 of *The Municipal Drainage Act* is amended by adding thereto the following subsection: Rev. Stat., c. 241, s. 8, amended.

(11*a*) The engineer or surveyor shall also in his report, plans, specifications and profiles sufficiently record the descriptions, locations and elevations of every bench mark or permanent level by which a drainage work is to be governed. Engineer to report on bench marks.

3.—(1) Subsection 2 of section 9 of *The Municipal Drainage Act* is repealed and the following substituted therefor: Rev. Stat., c. 241, s. 9, subs. 2, repealed.

(2) The engineer or surveyor in making his survey shall establish sufficient bench marks or permanent levels by which a drainage work may be governed. Engineer to establish bench marks.

(2) The said section 9 is further amended by adding thereto the following subsection: Rev. Stat., c. 241, s. 9, amended.

(3) Any person who interferes with or obstructs the engineer or his assistants in the exercise of the powers conferred by subsection 1 or interferes with, removes or destroys any bench mark or permanent level mark established under subsection 2 shall incur a penalty not exceeding $100 recoverable under *The Summary Convictions Act.* Penalty for interference with work or bench marks of engineer. Rev. Stat., c. 121.

4. *The Municipal Drainage Act* is amended by adding thereto the following section: Rev. Stat., c. 241, amended.

Debentures for separate drainage works may be consolidated.

25*a*.—(1) Where two or more works have been undertaken and the by-laws provided for by section 21 or section 87 have been passed, instead of borrowing the separate sums thereby authorized to be borrowed and issuing debentures therefor, the council by a consolidating by-law, may provide for borrowing the aggregate of such separate sums and for issuing one series of debentures therefor.

(2) A consolidating by-law shall show by recitals or otherwise in respect to which separate by-laws it is passed.

(3) It shall not be necessary that a consolidating by-law shall impose any rate to provide for the payment of the debentures issued under it or the interest thereon, but the rates imposed by the separate by-laws shall be levied, collected and applied for that purpose.

(4) The provisions of sections 22 to 25 shall not apply to a consolidating by-law passed under this section.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 57.

An Act to amend The Public Utilities Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Public Utilities Act, 1931.* Short title.

2. Section 32 of *The Public Utilities Act* is repealed and the following substituted therefor: Rev. Stat., c. 249, s. 32, repealed.

32.—(1) Subject to the provisions of subsections 4, 5 and 6 and notwithstanding the provisions of section 30, the corporation may free from any charge or lien, sell, lease or otherwise dispose of a public utility undertaking, or the whole or any part of the property, real or personal, acquired, held or used for or in connection with a public utility undertaking, which in the opinion of the council is no longer required for the purpose of the corporation or for the undertaking. Disposal of public utility undertaking and properties.

(2) The proceeds derived from any sale, lease or other disposition of such undertaking or property shall be applied in redemption and payment of any debentures of the corporation issued in respect to the public utility undertaking, or if there are no such debentures, then in case of sale or disposal of a portion only of such property the proceeds thereof shall be applied for the undertaking in connection with which the property was held or used and in case of sale or disposal of the whole of such property or of the undertaking the proceeds thereof shall form part of the general funds of the corporation and any security received or held by the corporation for any part of the consideration payable on such sale, lease or other disposition shall stand as security for said debentures or be applied for said undertaking or form part of the general funds of the corporation, as the case may be. Application of proceeds of disposal.

(3)

Approval necessary as to application of proceeds.

(3) In a case where there are no debentures to the redemption and payment of which proceeds derived from any sale or disposal of an undertaking or property may be applied, such proceeds may be applied in redemption of other debentures of the corporation or with the approval of the Ontario Railway and Municipal Board may be applied for purposes of a capital nature; provided that where portion only of the property of an undertaking for the supply of electrical power or energy obtained from The Hydro-Electric Power Commission of Ontario is sold or disposed of the proceeds shall be applied only as the said Commission may approve.

When assent of electors requisite.

(4) A corporation shall not sell, lease or otherwise dispose of the whole of a public utility undertaking or the whole of the property acquired, held or used for or in connection with a public utility undertaking without the assent of the electors qualified to vote on moneys by-laws first being obtained thereto in the manner provided by *The Municipal Act* with respect to a money by-law requiring the assent of the electors.

Rev. Stat., c. 233.

When approval of Municipal Board requisite for sale, etc.

(5) A corporation shall not sell, lease or otherwise dispose of a portion only of the property acquired or held for or in connection with a public utility undertaking so long as such portion is actually used for the purposes of the undertaking, except with the approval of the Ontario Railway and Municipal Board, and on such application the said Board may direct that the assent shall first be obtained of the electors qualified to vote on money by-laws in the manner aforesaid.

When assent of Ontario Power Commission requisite.

(6) A corporation shall not sell, lease or otherwise dispose of the whole of the public utility undertaking for the supply of electrical power or energy obtained directly or indirectly from The Hydro-Electric Power Commission of Ontario or of the whole of the property acquired, held or used for or in connection therewith or of any part thereof which is no longer required for the undertaking or for the purpose of the corporation, or for so long as such undertaking is being operated by or for the corporation, sell, lease or otherwise dispose of any part of the property which is actually used for the purposes of the undertaking, without the assent of The Hydro-Electric Power Commission of Ontario first being obtained thereto.

(7) Where the powers of a corporation with respect to a public utility undertaking are exercised by commission, the council shall upon the request of the commission submit to the qualified electors a by-law to authorize any sale, lease or other disposition of the undertaking or the whole or any part of the property acquired, held or used for or in connection therewith which under the provisions of this section is required to be assented to by the electors. Procedure when a commission operates a utility.

(8) Subsections 4, 5 and 6 shall not apply to a lease for a term not exceeding five years of a portion of the property of a public utility undertaking. Short leases excepted.

(9) This section shall apply to sales, leases and other dispositions of a public utility undertaking and of any property acquired, held or used for or in connection with a public utility undertaking, completed subsequent to the first day of March, 1931. Application of section.

3. Subsection 1 of section 36 of *The Public Utilities Act* is repealed and the following substituted therefor: Rev. Stat., c. 249, s. 36, subs. 1, repealed.

(1) Subject to subsection 3, where a commission has been established under this Part and the members thereof have been elected or where the control and management of any other public utility works are entrusted to a commission established under this Part, all the powers, rights, authorities and privileges which are by this Act conferred on a corporation shall, while the by-laws for establishing the commission or entrusting it with such control and management remain in force, be exercised by the commission and not by the council of the corporation. Powers of commission.

4. Section 39 of *The Public Utilities Act* is amended by adding thereto the following subsection: Rev. Stat., c. 249, s. 39, amended.

(4) Where electrical power or energy received under contract from The Hydro-Electric Power Commission of Ontario is being distributed in a municipality the electric utility shall not be charged with more than its pro rata share approved by The Hydro-Electric Power Commission of Ontario, of any costs, charges and expenditures incurred or made jointly for the purpose of such utility and for any other municipal purpose including in such costs, charges and expenditures all rents and the salaries and wages of joint employees. Approval of commission as to sharing cost with municipality.

Rev. Stat., c. 249, s. 42, subs. 1, repealed.

5. Subsection 1 of section 42 of *The Public Utilities Act* is repealed and the following substituted therefor:

Annual statement to council.

(1) The Commission shall on or before the first day of April in each year or upon such other day as the council may direct, furnish to the council a statement of affairs of each public utility undertaking, including in respect of each such undertaking:

(*a*) the number of customers supplied during the previous calendar year;

(*b*) a balance sheet of assets and liabilities, including the value of the physical property, the amount of the sinking fund and the amount of current assets, also the amount of outstanding debentures and of current liabilities;

(*c*) a statement of revenue and expenditure, including the amount received from customers and the amount of other revenue, if any, also the amount expended for operation and maintenance, improvements and extensions, and for salaries and other office and management expenses, and the amount paid or set aside for interest, principal and sinking fund on the debentures.

Rev. Stat., c. 249, s. 42, amended.

6. Section 42 of *The Public Utilities Act* is amended by adding thereto the following subsection:

Commission's auditors.

(4) The commission may, if it so desires appoint auditors to audit the accounts of the commission, the expense to be borne by the utility.

Rev. Stat., c. 249, s. 46, amended.

7. Section 46 of *The Public Utilities Act* is amended by adding thereto the following subsection:

Power to require security from consumer.

(4) Any corporation before supplying any public utility to any person or to any building or premises, or as a condition of continuing to supply the same, may require any consumer to give reasonable security for the payment of the proper charges therefor or for carrying the public utility into such building or premises.

Rev. Stat., c. 249, s. 56, repealed.

8. Section 56 of *The Public Utilities Act* is repealed.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 58.

An Act to amend The Public Health Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Public Health Act, 1931.* Short title.

2. Section 11 of *The Public Health Act* is amended by adding thereto the following subsection: Rev. Stat., c. 262, s. 11, amended.

(8) In territory without municipal organization a district officer of health shall have and possess the same rights and powers and shall perform the same duties as are conferred and imposed upon the local municipal councils, local boards of health and local medical officers of health in the administration and enforcement of this Act, *The Vaccination Act* and *The Venereal Diseases Prevention Act.* Powers of district officer of health in unorganized territory. Rev. Stat., cc. 263, 264.

3. *The Public Health Act* is amended by adding thereto the following section: Rev. Stat., c. 262, amended.

11*a*. The Minister may establish and maintain clinical laboratory centres at such places and with such buildings, appliances and equipment as he may deem proper and may give directions from time to time as to the operation of such laboratory centres, the nature and extent of the work to be done and the supplies necessary therefor, and the cost of establishing, furnishing and maintaining any clinical laboratory under this section shall be borne and paid out of such moneys as may be appropriated from time to time by the Legislature for that purpose. Clinical laboratory centres,— establishment of.

4.—(1) Section 31 of *The Public Health Act* is amended by striking out all the words at the commencement thereof, down to and including the word "prescribe" in the fourth line and inserting in lieu thereof the words "in any municipality the local board may provide such dental and medical inspection of the pupils of all schools to which the regulations Rev. Stat., c. 262, s. 24, amended.

made

made under *The Department of Education Act* may apply, as the said regulations may prescribe," so that the said section shall now read as follows:

Medical inspection.

31. In any municipality the local board may provide such dental and medical inspection of the pupils of all schools to which the regulations made under *The Department of Education Act* may apply, as the said regulations may prescribe, and, in the absence of such regulations, as the local board may deem proper, and may execute, do and provide all such acts, matters and things as may be found necessary from such inspection.

Rev. Stat., c. 322.

Rev. Stat., c. 262, s. 86, amended.

(2) Section 86 of *The Public Health Act* is amended by striking out the words "with any public or separate school board" in the third and fourth lines and inserting in lieu thereof the words "with any school board," and by adding to the said section the following clause:

"School board,"— meaning of.

(*a*) In this section "school board" shall mean and include a board of public or separate school trustees, a board of high school trustees, a board of education and a board of any industrial, commercial or vocational school which is subject to regulations made under *The Department of Education Act;*

so that the section shall now read as follows:

Boards to provide for medical and dental inspection.

86. Subject to any regulations made under *The Department of Education Act*, the local board, upon such terms and conditions as may be agreed upon with any school board shall provide medical and dental inspection for the pupils in the schools of the board and render such other services relating to the health and well-being of the pupils as any such regulation may require and as may be directed by the Minister of Health.

"School board,"— meaning of.

(*a*) In this section "school board" shall mean and include a board of public or separate school trustees, a board of high school trustees, a board of education and a board of any industrial, commercial or vocational school which is subject to regulations made under *The Department of Education Act.*

Rev. Stat., c. 262, s. 54, subs. 1, amended.

5. Subsection 1 of section 54 of *The Public Health Act* is amended by adding thereto the following clause:

Milk containers—disinfection of, in case of communicable disease.

(*a*) Milk bottles and other containers used in the delivery of milk and which may be used again for the same or any other purpose shall not be returned from or

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taken away from any premises under quarantine for any communicable disease until the quarantine shall have been raised and they shall then be removed in such manner as the medical officer of health may direct and before being refilled or used for any other purpose, they shall be disinfected by live steam in such manner as the regulations may require.

6. Subsection 1 of section 92 of *The Public Health Act* is amended by adding thereto the following words "and no industrial or other wastes, dangerous or liable to become dangerous to health or to become a nuisance, or to impair the safety, palatability or potability of the water supply of any municipality or riparian owner, shall be discharged into or be deposited in any of the lakes, rivers, streams, or other waters of Ontario, or on the shores or banks thereof," so that the said subsection shall now read as follows: Rev. Stat., c. 262, s. 92, subs. 1, amended.

(1) No garbage, excreta, manure, vegetable or animal matter or filth shall be discharged into or be deposited in any of the lakes, rivers, streams or other waters in Ontario or on the shores or banks thereof, and no industrial or other wastes, dangerous or liable to become dangerous to health or to become a nuisance or to impair the safety, palatability or potability of the water supply of any municipality or riparian owner, shall be discharged into or be deposited in any of the lakes, rivers, streams or other waters of Ontario, or on the shores or banks thereof. Depositing filth, etc., in provincial waters.

7. Section 98 of *The Public Health Act* is repealed and the following substituted therefor: Rev. Stat., c. 262, s. 98, repealed.

98. Every waterworks system, water purification plant, sewer and sewerage system and sewage treatment plant, and appurtenances thereof, established for public use, shall at all times be maintained, kept in repair and operated so as to best secure the protection of the public health, and in such manner and for such purposes as may be directed by any special order of the Department or by the regulations. Repairs and renewals, etc.,— powers of Department.

8. Subsection 2 of section 87*a* of *The Public Health Act* as enacted by section 3 of *The Public Health Act, 1930*, is repealed. Rev. Stat., c. 262, s. 87a, subs. 2, (1930, c. 52, s. 3), repealed.

9. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 59.

An Act to amend The Children's Protection Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Children's Protection Amendment Act, 1931.*

Rev. Stat. c. 279, s. 1, clause *e*, repealed.

2.—(1) Clause *e* of section 1 of *The Children's Protection Act* is repealed and the following substituted therefor:

"Minister."

(*e*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act.

Rev. Stat. c. 279, s. 1, clause *f*, repealed.

(2) Clause *f* of said section 1 is repealed and the following substituted therefor:

"Municipality."

(*f*) "Municipality" shall mean a county, city or separated town, except that in a territorial district it shall mean a city, town, village or township.

Rev. Stat. c. 279, s. 32, amended.

3. Section 32 of *The Children's Protection Act* is amended by adding thereto the following subsection:

Mode of incorporation and model constitution, etc.

(2) The Lieutenant-Governor in Council may make regulations respecting the mode of incorporation of children's aid societies and the fees, if any, to be paid on incorporation, and may for such societies prescribe a model or standard form of constitution and by-laws with power to approve any variations therefrom as the circumstances applicable in respect to any such society may seem to warrant.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 60.

An Act respecting Training Schools.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Ontario Training Schools Act, 1931.* Short title.

2. In this Act,— Interpretation.

(*a*) "Board" shall mean The Ontario Training Schools Board; "Board."

(*b*) "Boy" shall mean any male youth a resident in Ontario who is normal in mind and body and capable of receiving an education and training that will enable him to earn a living; "Boy."

(*c*) "Department" shall mean the Department over which the Minister has charge; "Department."

(*d*) "Girl" shall mean any unmarried female youth a resident in Ontario who is normal in mind and body and capable of receiving an education and training that will enable her to earn a living; "Girl."

(*e*) "Inspector" shall mean an inspector appointed under *The Department of Public Welfare Act, 1931* for the purposes of this Act; "Inspector."

(*f*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; "Minister."

(*g*) "Municipality" shall mean a county, city or separated town, except that in a territorial district it shall mean a city, town, village or township; "Municipality."

(*h*)

"Resident." (*h*) "Resident" shall mean a boy or girl, as the case may be, who has actually resided in a municipality for the period of three months within the five months next prior to admission to a training school;

"Regulations." (*i*) "Regulations" shall mean regulations made under this Act;

"Superintendent." (*j*) "Superintendent" shall mean superintendent of a training school;

"Training School." (*k*) "Training School" shall mean a training school for boys or girls established under this Act.

Training schools,—establishment of. **3.**—(1) Training schools for boys or girls may be established in Ontario to provide the boys or girls admitted therein with a mental, moral and vocational education and training and with profitable employment.

Designation. (2) A training school established under this Act shall bear such name or other designation as the Lieutenant-Governor in Council may give.

Properties vested in the Crown. **4.** All real and personal property acquired by purchase, gift or otherwise pertaining to a training school shall be vested in the Crown represented therein by the Minister of Public Works.

Revenues and expenditures. **5.** The cost of establishing and maintaining training schools shall be paid out of such moneys as may be appropriated for such purpose by the Legislature and all revenues from whatsoever source derived by or pertaining to training schools shall form part of the Consolidated Revenue Fund of Ontario.

Gifts. **6.** Any municipal corporation and any association, corporation or individual may make gifts of real or personal property to a training school.

School wardship over boys and girls. **7.**—(1) Every boy or girl admitted to a training school shall upon admission become a ward of the training school until he or she becomes of age and shall be subject to the control of the Board and superintendent in the same manner and to the same extent as in the case of a guardian appointed by statute or by any court or by any will or instrument and all rights and powers of the parent or any such guardian over a boy or girl so admitted shall upon admission cease and determine unless the Minister provides that the wardship of the training school shall cease upon the boy or girl leaving the school.

Restoration of other wardship. (2) When the Minister provides that the wardship of a training school shall cease upon a boy or girl leaving the school,

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he or she shall after leaving be and become a ward of that person who but for the wardship of the training school was or would have been in law his or her guardian.

"Board." **8.** For the purposes of the training schools established under this Act there is established an advisory board of fifteen members which shall be known as "The Ontario Training Schools Board."

Appointment of members of Board. **9.** The members of the Board shall be appointed by the Lieutenant-Governor in Council with the powers and for the purposes hereinafter prescribed.

Period of office. **10.** The members of the Board shall be appointed for a period of three years except that a member appointed to fill a vacancy shall be appointed for the unexpired term of that member whose office has become vacant.

Chairman and secretary. **11.** The Lieutenant-Governor in Council may from time to time appoint one of the members of the Board to be the chairman thereof and another member to be the secretary thereof.

Meetings of Board. **12.**—(1) The Board shall meet from time to time at the call of the chairman or at the call of the Minister.

Advisory powers of Board. (2) The Board shall act in an advisory capacity to the Minister and when requested by him so to do shall consult with him as to the administration of this Act and of training schools established under this Act and shall assist the Minister by their recommendations in respect thereto.

Committees. (3) The Minister may from time to time appoint committees of the Board to act on behalf of the Board in respect to any training school.

Visiting and inspecting training schools. (4) The Board or its committees appointed hereunder shall have power to and shall from time to time visit and inspect training schools to investigate and ascertain the condition of the same and the welfare of the boys or girls therein, particularly in respect to matters of moral, scholastic, occupational and recreational natures and as to their wardship, care, treatment, conduct and discipline, and the Board or committee shall report to the Minister upon every visit and inspection which it may make, with any recommendations resulting therefrom.

Travelling expenses. (5) The necessary travelling and other expenses incurred by the members of the Board may be paid out of the moneys appropriated by the Legislature for training schools.

Municipal per diem liability.

13.—(1) Subject as in this Act may otherwise be provided, when any boy or girl is admitted to a training school that municipality in which such boy or girl was a resident at the time of admission shall be liable to the Department for and shall pay the sum of seventy-five cents per day towards the cost of maintenance and education of such boy or girl for each actual day's stay of the said boy or girl in the training school.

Notice of admission to municipality.

(2) Upon admission to a training school of any boy or girl the superintendent shall by registered letter notify the clerk of the municipality in which such boy or girl is or is represented to be a resident, of such admission, giving such particulars as may be ascertainable to enable the clerk to identify the boy or girl.

Notice disputing liability.

(3) Unless the clerk of a municipality within fifteen days after the date of mailing any such notice to him, shall by registered letter notify the superintendent from whom such notice was received that the boy or girl referred to therein was not a resident in the municipality at the time of admission, such municipality shall be liable for the charges provided for in this section.

Information to be furnished.

(4) The clerk of a municipality when notifying a superintendent that a boy or girl is not a resident in the municipality shall furnish such information as he may have ascertained with respect to such boy or girl.

County's right to contribution.

14. The corporation of a county shall have the right to recover not exceeding one-half of the charges paid by it in respect of any boy or girl for which it is liable under this Act from the corporation of the township, town or village forming a part of the county in which such boy or girl was a resident at the time of admission to a training school.

Statements of account to be rendered.

15. When under this Act the charges for any boy or girl in a training school are payable by a municipality the superintendent shall from time to time render to the clerk of the municipality statements of account of any such charges with full particulars thereof and if the amount of any such account is not paid within a reasonable time after the same has been rendered it may be recovered as a debt in any court of competent jurisdiction.

Municipal right of recourse.

16. Upon payment by a municipality of any account rendered to it under this Act such municipality may recover from any person liable in law in respect to such boy or girl, the amount of the payment so made, and the same may be recovered as a debt in any court of competent jurisdiction.

Municipal right of recourse against proper municipality.

17. Upon payment by a municipality of any charges under this Act by reason of a boy or girl having been assumed to be a resident in such municipality and it being ascertained that such boy or girl was not a resident therein but at the time of admission to a training school was a resident in another municipality in Ontario, the municipality which made the said payment may recover the amount thereof as a debt from the municipality in which such boy or girl was a resident and upon payment by that municipality it shall be entitled to exercise the rights of recovery conferred under section 16.

Recapture of escaped boys and girls.

18. If a boy or girl escapes or remains absent without leave from a training school, any officer or servant of the training school or any other person at the request of such officer or servant may without warrant within forty-eight hours after such escape or after such absence becomes known, and within one month where a warrant in form prescribed by the regulations has been issued by the superintendent, retake such escaped or absent boy or girl and return him or her to the training school.

Regulations.

19. Subject to the approval of the Lieutenant-Governor in Council the Minister may make regulations for the following purposes:

(*a*) For the appointment of superintendents and such officers and employees of training schools as may be deemed necessary and for fixing the salaries and remuneration of such persons as may be so appointed;

(*b*) For fixing the age at which and the conditions under which boys and girls may be admitted to a training school and the period during which any boy or girl may be kept at a training school and the conditions under which he or she may leave or be discharged therefrom;

(*c*) For regulating the conduct, discipline, training and education of the boys and girls admitted in residence to a training school and for providing for their religious, moral, educational and vocational training and instruction;

(*d*) For providing for the use in a training school of such products as may be produced on the premises of the school, and for the sale of any surplus products or articles produced or manufactured on the said premises;

(*e*) For the remuneration to be paid to any boy or girl for faithful service; and

(*f*) Generally for the management and direction of the affairs and maintenance of training schools.

Judges' and magistrates' orders for admission.

20. Where under any Act a boy or girl may be committed to a place of detention or imprisonment the judge or magistrate before whom such boy or girl is charged or appears may with the approval of the Minister in lieu of making any order of committal make an order for admission of such boy or girl to a training school.

Bowmanville School continued.

Rev. Stat., c. 282.

21. The Boys Welfare home and school heretofore established at Bowmanville under *The Boys' Welfare Home and School Act* is continued as a training school for the purposes and under the provisions of this Act and shall be known as "The Ontario Training School for Boys," and the provisions of this Act shall apply in respect to all boys now at the said school as if they had severally been admitted thereto immediately after this Act comes into force.

Penalty.

22. Any person who contravenes or is a party to contravention directly or indirectly of any of the provisions of this Act or the regulations shall incur a penalty of not less than $5 and not exceeding $500, recoverable under *The Summary Convictions Act*.

Rev. Stat., c. 121.

Repeal.

23. *The Boys' Welfare Home and School Act* being chapter 282 of the Revised Statutes of Ontario, 1927 and *The Boys' Welfare Home and School Act, 1928* are repealed.

Commencement of Act.

24. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 61.

An Act to amend The Theatres and Cinematographs Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Theatres and Cinematographs Act, 1931.*

Rev. Stat., c. 285, s. 2, amended.

2. Section 2 of *The Theatres and Cinematographs Act* as amended by section 3 of *The Theatres and Cinematographs Act, 1930*, is further amended by inserting after the word "matter" in the thirteenth line, the following words: "requiring that a proportion of the films available for distribution to exhibitors, and the films exhibited in each theatre, shall be of British manufacture and origin, and fixing such proportions on a monthly or yearly basis."

CHAPTER 62.

An Act to amend The Fire Marshals Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Fire Marshals Act, 1931.*

Rev. Stat., c. 295, s. 12, subs. 2, amended.

2. Subsection 2 of section 12 of *The Fire Marshals Act* is amended by adding thereto the following clause:

Penalty.

(*b*) Every person who contravenes the provisions of this section shall be guilty of an offence against this Act and shall be liable to the penalty prescribed by section 16.

Rev. Stat., c. 295, s. 20, subs. 2, amended.

3.—(1) Subsection 2 of section 20 of *The Fire Marshals Act* is amended by inserting after the words "property therein" in the sixth line the words "or that exits from the building or buildings are inadequate or improperly used," and by adding thereto the following clause:

(*c*) the installation of such safeguards by way of additional fire escapes and exit doors as may be deemed necessary to afford ample exit facilities in the event of fire or an alarm of fire;

so that the subsection shall now read as follows:

Orders on inspection.

(2) If, upon such inspection, it is found that a building or other structure is for want of proper repair or by reason of age and dilapidated condition or any other cause especially liable to fire, or is so situated as to endanger other buildings or property, or so occupied that fire would endanger persons or property therein or that exits from the building or buildings are inadequate or improperly used, or that there are in or upon the buildings or premises combustible or explosive materials or conditions dangerous to the

safety

safety of such buildings or premises or to adjoining property, the officer making such inspection may order,—

(*a*) the removal of such buildings or the making of such structural repairs or alterations therein;

(*b*) the removal of such combustible or explosive material or the removal of anything that may constitute a fire menace;

(*c*) the installation of such safeguards by way of additional fire escapes and exit doors as may be deemed necessary to afford ample exit facilities in the event of fire or an alarm of fire.

(2) The said section 20 is amended by adding thereto the following subsection: Rev. Stat., c. 295, s. 20, amended.

(4*a*) If the appeal to the county or district judge is not prosecuted by the appellant within sixty days from the filing of the originating notice, the county or district judge may dismiss the appeal at the request of the Fire Marshal. Appeal if not prosecuted may be dismissed within thirty days upon request of Fire Marshal.

(3) The second clause lettered *b* in subsection 7 of the said section 20 as enacted by section 4 of *The Fire Marshals Act, 1929*, is further amended by striking out the words "city, separated town or county" in the second line and inserting in lieu thereof the word "municipality," so that the clause shall now read as follows: Rev. Stat., c. 295, s. 20, subs. 7, cl. *b* (1929, c. 76, s. 4), amended.

(*b*) The Fire Marshal shall certify to the treasurer of the municipality within which the building, premises, or structure is situate, the expenses actually and necessarily incurred, and such treasurer shall forthwith pay the amount so certified to the Treasurer of Ontario, and the same may be entered upon the collector's roll against the land or premises in relation to which action was so taken and shall constitute a lien thereon and be levied and collected as taxes against such land or premises.

4. *The Fire Marshals Act* is amended by adding thereto the following section: Rev. Stat., c. 295, amended.

20*a*. Without regard to any of the provisions of this Act and in addition to any of the powers herein granted, the Lieutenant-Governor in Council may make such regulations Power to pass regulations regarding dry cleaning establishments, etc.

regulations as may be deemed necessary for preventing or regulating the establishment or operation of dry cleaning, dry dyeing or any other like establishment in which any articles are dyed or cleaned by any process in which carbon bisulphide, gasoline, naphtha, benzine, benzol or other like petroleum or coal tar products is employed, and any other business or occupation calculated to seriously increase the fire hazard or to cause explosion in any locality, and may impose penalties for the breach of any such regulation.

Rev. Stat., c. 295, amended.

5. *The Fire Marshals Act* is amended by adding thereto the following section:

Fire Marshal may adopt rules for prevention of fire.

22.—(1) Subject to the regulations the Fire Marshal shall from time to time as may be found necessary for the prevention of fire and for safeguarding human life from the danger of fire, adopt rules and regulations for the use, storage and handling of explosives and volatile compounds including crude and refined illuminating and fuel oil and all the devices and apparatus employed in utilizing the same, provided however that such rules and regulations shall not be effective until approved by the Lieutenant-Governor in Council.

Municipal by-law to take precedence.

(2) Where a municipality has passed a by-law under the authority of paragraphs 17 to 25 of section 397 of *The Municipal Act* regulating the keeping and manufacturing of explosives, the requirements of such by-law, if more exacting than those approved by the Lieutenant-Governor in Council under this section, shall govern and apply to properties within the boundaries of such municipality.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 63.

An Act to amend The Lightning Rod Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Lightning Rod Act, 1931.* Short title.

2. *The Lightning Rod Act* is amended by adding thereto the following section: Rev. Stat., c. 297, amended.

13. Nothing in this Act shall apply to or affect the installation of lightning rods on any building by the owner or occupant of the building where he himself does the work or the work is performed by his employees under his direction. When Act not to apply.

3. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 64.

The Vicious Dogs Act, 1931.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Dog biting person.

1. Where a dog is alleged to have bitten any person the owner of the dog may be summoned to appear before a police magistrate to show cause why the dog should not be destroyed and if from the evidence produced it appears that the dog has bitten any person the magistrate may make an order that the dog be destroyed.

Commencement of Act.

2. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 65.

An Act to amend The Bees Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Bees Act, 1931.*

Rev. Stat. c. 314, s. 9, subs. 2, repealed.

2. Subsection 2 of section 9 of *The Bees Act* is repealed and the following substituted therefor:

Destruction where disease malignant.

(2) If the inspector finds that foul brood exists in a virulent or malignant type he may immediately destroy by fire all colonies of bees so affected, together with the hives occupied by them and the contents of such hives and all tainted appurtenances that cannot be disinfected.

Rev. Stat. c. 314, s. 12, subs. 1, amended.

3. Subsection 1 of section 12 of *The Bees Act* is amended by striking out the word "certificate" in the fourth line and inserting in lieu thereof the word "permit," so that the subsection shall now read as follows:

Sale of infected bees or articles.

(1) The owner or possessor of an apiary shall not sell, barter, give away or remove from the premises any bees or used apiary appliances or apparatus until he has secured a permit from the Provincial Apiarist that such bees, used apiary appliances or apparatus have been properly disinfected and are free from disease.

Rev. Stat. c. 314, s. 13, amended.

4. Section 13 of *The Bees Act* is amended by striking out the words "being authorized by the Inspector" in the fourth line and inserting in lieu thereof the words "receiving a permit from the Provincial Apiarist," so that the section shall now read as follows:

Selling infected bees after treatment or exposing appliances.

13. Any person whose bees have been destroyed or treated for foul brood who sells or offers for sale any bees, hives or appurtenances of any kind after

such

such destruction or treatment and before receiving a permit from the Provincial Apiarist so to do, or who exposes in his bee-yard, or elsewhere, any infected comb honey or other infected thing, or conceals the fact that such disease exists among his bees, shall incur a penalty of not less than $20 or more than $50, or he may be imprisoned for a term not exceeding two months.

Rev. Stat. c. 314, s. 15 repealed.

5. Section 15 of *The Bees Act* is repealed and the following substituted therefor:

Employment of special constables where owner offers resistance.

15. Where such owner or possessor of bees offers resistance to or obstructs the inspector, a justice of the peace may, upon the complaint of the inspector, cause a sufficient number of special constables to be sworn in who shall, under the directions of the inspector, proceed to the premises of such owner or possessor and assist the inspector to seize all the diseased colonies and infected appurtenances and burn them forthwith, and if necessary the inspector or constables may arrest the owner or possessor and bring him before a justice of the peace to be dealt with according to the provisions of the next preceding section.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 66.

An Act to amend The Line Fences Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Line Fences Act* is amended by adding thereto the following subsection: Rev. Stat., c. 315, s. 2, amended.

(3) Where there is an unopened road allowance lying between occupied lands and not enclosed by a lawful fence, it shall be the duty of the fence viewers, when called upon, to divide such road allowance equally between the owners of such occupied lands, and to require each owner to make, keep up and maintain a just proportion of fence to mark the division line, but nothing in this section shall in any way affect or interfere with the rights of the municipality in such road allowance or be deemed to confer any title therein upon such owners or either of them. Unopened road allowance.

2. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 67.

An Act to amend The Ditches and Watercourses Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Ditches and Watercourses Amendment Act, 1931.*

Rev. Stat., c. 316, s. 15, amended.

2.—(1) Section 15 of *The Ditches and Watercourses Act* is amended by adding the following subsection:

Engineer to establish bench marks and refer thereto in his award.

(7*a*) The engineer in making his survey shall establish sufficient bench marks or permanent levels by which a ditch may be governed, and shall also in his award, sufficiently record the descriptions, locations and elevations of every bench mark or permanent level by which a ditch is to be governed, and whether such bench marks or permanent levels were established by him or by some other engineer.

Rev. Stat., c. 316, s. 15, subs. 8, repealed.

(2) Subsection 8 of the said section 15 is repealed and the following substituted therefor:

Penalty for interference with work or bench marks of engineer.

(8) Any person who interferes with or obstructs the engineer or his assistants in the exercise of the powers conferred by subsection 7 or interferes with, removes or destroys any bench mark or permanent level mark established under subsection 7*a* shall incur a penalty not exceeding $100 recoverable under *The Summary Convictions Act.*

Rev. Stat., c. 121.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 68.

An Act to amend The Cemetery Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Cemetery Act, 1931.* Short title.

2.—(1) Subsection 1 of section 10 of *The Cemetery Act* is repealed and the following substituted therefor: Rev. Stat., c. 317, s. 10, subs. 1, repealed.

(1) There shall be in every county and provisional judicial district a commission to be known as "The Cemetery Commission." Cemetery Commission.

(1*a*) In the case of a county the commission shall consist of three members, one of whom shall be appointed by the Lieutenant-Governor in Council and the other two members to be appointed annually by the county council at its first meeting and in the case of a provisional judicial district the commission shall consist of the judge of the district, the sheriff and one other person to be named by the Lieutenant-Governor in Council. In counties. In provisional judicial districts.

(*a*) The member appointed by the Lieutenant-Governor in Council shall be the chairman of the commission. Chairman.

(1*b*) The commission shall be charged with the general supervision of cemeteries and burying grounds in the county or district. Duties of Commission.

(1*c*) The commission shall be paid such fees as may be fixed from time to time by Order-in-Council and shall also be entitled while engaged in the performance of their duties to reasonable and necessary travelling and other expenses, and such fees and expenses shall be payable by the county or district treasurer upon the certificate of the chairman of the commission. Fees and expenses,—how payable.

(2)

Rev. Stat., c. 317, s. 10, subs. 2, amended.

(2) Subsection 2 of the said section 10 is amended by striking out the word "inspectors" where it occurs in the first line and inserting in lieu thereof the word "commission" so that the first two lines of the said subsection shall now read as follows:

(2) It shall be the duty of the commission and they shall have power . . .

Rev. Stat., c. 317, s. 11, amended.

3. Section 11 of *The Cemetery Act* is amended by striking out the word "Board" in the fourth line and inserting in lieu thereof the word "Department."

Rev. Stat., c. 317, s. 36, subss. 2, 3, repealed.

4. Subsections 2 and 3 of section 36 of *The Cemetery Act* are repealed and the following substituted therefor:

Refusal or neglect to maintain cemetery.

(2) Where the council of a municipality neglects or refuses to properly maintain a cemetery under the provisions of this section, the commission shall give notice in writing to the corporation directing the corporation to do whatever in the opinion of the commission should be done by the owner of a cemetery for the proper maintenance thereof, and in case of disobedience to any such order the commission may cause the necessary work to be done and the treasurer of the municipality shall pay the cost of such work, upon the order of the chairman of the commission, to the persons entitled thereto.

Rev. Stat., c. 317, s. 37, amended.

5. Section 37 of *The Cemetery Act* is amended by adding thereto the following subsection:

By-law to be approved by Commission.

(2) No such by-law shall come into force or take effect until the same has been approved in writing by the commission.

Commencement of Act.

6. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

CHAPTER 69.

An Act to amend The Game and Fisheries Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Game and Fisheries Act, 1931.* Short title.

2.—(1) The clause lettered *i* in section 2 of *The Game and Fisheries Act* as amended by subsection 1 of section 2 of *The Game and Fisheries Act, 1930*, is repealed and the following substituted therefor: Rev. Stat., c. 318, s. 2, cl. *i*, repealed.

(*i*) "Non-resident" shall mean any person who has not actually resided in the Province of Ontario for a period of twelve consecutive months immediately preceding the time that his residence becomes material under the provisions of this Act. "Non-resident."

(2) The clause lettered *o* in the said section 2 as amended by subsection 3 of section 2 of *The Game and Fisheries Act, 1930*, is repealed and the following substituted therefor: Rev. Stat., c. 318, s. 2, cl. *o*, repealed.

(*o*) "Resident" shall mean any person who has actually resided in the Province of Ontario for a period of twelve consecutive months immediately preceding the time that his residence becomes material under the provisions of this Act. "Resident."

3. The clause lettered *e* in subsection 1 of section 6 of *The Game and Fisheries Act* is amended by inserting the words "the open season and" after the word "varying" where it occurs in the first line thereof. Rev. Stat., c. 318, s. 6, subs. 1, cl. *e*, amended. Varying close and open season.

4.—(1) Subsection 1 of section 17 of *The Game and Fisheries Act* is amended by inserting the word "Deputy" before the word "Minister" where it occurs in the sixth line thereof. Rev. Stat., c. 318, s. 17, subs. 1, amended.

(2) Subsection 2 of the said section 17 is amended by inserting the word "Deputy" before the word "Minister" where it occurs in the third line thereof. Rev. Stat., c. 318, s. 17, subs. 2, amended.

5.

Rev. Stat., c. 318, s. 31, repealed.

5. Section 31 of *The Game and Fisheries Act* is repealed and the following substituted therefor:

Prohibition as to use of dogs.

31.—(1) It shall be unlawful for any person to use or be accompanied by a dog while hunting deer, moose or caribou in that part of the Province of Ontario lying north and west of the southerly and easterly boundaries of the Mattawa River, Lake Nipissing and the French River, including Manitoulin Island.

Restraint of dogs.

(2) In the said area it shall be unlawful for the owner of any dog to permit such dog to run at large in a locality in which deer, moose or caribou usually inhabit or in which they are usually found.

Prohibition as to use of dogs during close season.

(3) In that part of the Province of Ontario lying south and east of the Mattawa River, Lake Nipissing and the French River, no owner of any dog shall permit such dog to run at large during the close season for deer or moose in a locality in which such animals or any of them usually inhabit or in which they are usually found.

Restraint of dogs.

(4) Any person harbouring or claiming to be the owner of such dog shall be deemed to be the owner thereof and any dog found running deer, moose or caribou north and west of the southerly boundaries of the Mattawa River, Lake Nipissing and the French River, including Manitoulin Island, or running deer or moose south and east of the Mattawa River, Lake Nipissing and the French River during the close season in the last mentioned area, shall be deemed to be at large with the permission of the owner and may be killed on sight by any person and such person shall not be liable to any penalty or damage therefor.

Rev. Stat., c. 318, s. 36, amended.

6. Section 36 of *The Game and Fisheries Act* as amended by section 8 of *The Game and Fisheries Act, 1929*, and section 11 of *The Game and Fisheries Act, 1930*, is further amended by adding thereto the following subsection:

Hunting of rabbits.

(3) It shall be unlawful for any person when using ferrets in the hunting of rabbits to use in addition to a ferret any contrivance whatever other than a fire-arm in the actual taking of rabbits at such time.

Commencement of Act.

7. This Act shall come into force on the 1st day of June, 1931.

CHAPTER

CHAPTER 70.

An Act to amend The Wolf Bounty Act.

Assented to April 2nd, 1931

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Wolf Bounty Act, 1931.* Short title.

2. Section 4 of *The Wolf Bounty Act* is amended by striking out the words "district warden" in the fourth line and the word "warden" in the tenth line and inserting in lieu thereof the words "district superintendent of game and fisheries." Rev. Stat., c. 320, s. 4, amended.

3. Section 5 of *The Wolf Bounty Act* is amended by striking out the figures "15" in the fifth line and inserting in lieu thereof the figures "25." Rev. Stat., c. 320, s. 5, amended.

4. Section 7 of *The Wolf Bounty Act* is amended by striking out the words "warden for the Department" in the third line and inserting in lieu thereof the words "superintendent of game and fisheries." Rev. Stat., c. 320, s. 7, amended.

5. Subsection 1 of section 8 of *The Wolf Bounty Act* is amended by striking out the figures "15" in the tenth line and inserting in lieu thereof the figures "25." Rev. Stat., c. 320, s. 8, subs. 1, amended.

6. Section 8*a* of *The Wolf Bounty Act* as enacted by section 17 of *The Statute Law Amendment Act, 1930*, is repealed. Rev. Stat., c. 320, s. 8a, (1930, c. 21, s. 17), repealed.

7. This Act shall come into force on the 1st day of June, 1931. Commencement of Act.

CHAPTER 71.

The School Law Amendment Act, 1931.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The School Law Amendment Act, 1931.*

Rev. Stat., c. 323, s. 1, cl. *j*, amended.

2. The clause lettered *j* in section 1 of *The Public Schools Act* is amended by striking out the words "of the school section for public school rates" in the second and third lines and inserting in lieu thereof the words "as a public school supporter for the school section or municipality" so that the clause shall now read as follows:

"Ratepayer."

(*j*) "Ratepayer" shall mean person entered on the last revised assessment roll as a public school supporter for the school section or municipality.

Rev. Stat., c. 323, s. 44, amended.

3. Section 44 of *The Public Schools Act* is amended by adding thereto the following subsection:

Taxes to include expense of assessment and collection.

(3) Any assessments to be made and taxes to be collected under this section with respect to part of an unorganized township shall include as part thereof the proper proportion of the salaries and expenses of the officers making the said assessments and collecting the said taxes having regard to the ratio which the assessment in that part of the unorganized township bears to the total assessment of the union section.

Rev. Stat., c. 323, s. 60, amended.

4. Section 60 of *The Public Schools Act* is amended by inserting after the word "municipality" in the first line the words "situate in an organized county" and by adding thereto the following subsection:

(2)

(2) In territory without county organization where a like condition exists the rates to be so levied on public school supporters shall be equal to those levied in the nearest organized municipality.

Rev. Stat., c. 323, s. 76, subs. 5 repealed.

5. Subsection 5 of section 76 of *The Public Schools Act* is repealed and the following substituted therefor:

Who entitled to vote at elections of school trustees in urban municipalities.

(5) A separate set of ballot papers shall be prepared by the clerk of the municipality for each of the wards or polling subdivisions, containing the names of the candidates in the same form *mutatis mutandis* as those used for councillors or aldermen, and no ballot shall be delivered to any person who is entered on the list of voters as a separate school supporter or by reason of being the wife or husband of a separate school supporter.

Rev. Stat., c. 323, s. 85, subss. 1, 3, 4, 5, repealed.

6. Subsections 1, 3, 4 and 5 of section 85 of *The Public Schools Act* are repealed and the following substituted therefor:

Admission of non-resident pupils.

(1) The board shall admit to the school any non-resident pupil if the inspector reports that the accommodation is sufficient for the admission of such pupil and that the school is more accessible for him than the school in the section or urban municipality in which the pupil resides.

Resident of one section sending his children to another section.

(3) The parent or guardian shall be liable for the payment of all rates assessed on his taxable property for the purposes of the section or urban municipality in which he resides, but the board of that section or urban municipality shall remit to the parent or guardian any rates so payable to the extent of the amount of the fees so paid to the board of the neighbouring school.

Attendance of children of non-residents.

(4) Where the property of a non-resident is assessed for an amount equal to the average assessment of residents the children of such non-resident shall be admitted to the public school of the section or urban municipality on the same terms and conditions as the children of residents.

Remission of school tax where certain fees paid.

(5) Where the children attending a neighbouring school reside three miles or more by the nearest public road from the school house in the section or urban municipality to which they belong, the board of the section or urban municipality in which such children reside shall remit so much of the taxes payable by the parents or guardians of such children for school purposes as equals the fees paid to the board of the neighbouring school.

Rev. Stat., c. 323, s. 88, amended.

7. Section 88 of *The Public Schools Act* as amended by section 8 of *The School Law Amendment Act, 1930*, is further amended by adding thereto the following clauses:

Operation of playgrounds.

(*cc*) if deemed expedient, to provide and maintain such equipment as may be deemed advisable and to operate the playground as a park or playground and rink during the school term or in vacation or both, and to provide such supervision as the board may deem proper, provided the proper conduct of the school is not interfered with;

Organization and operation of gymnasium.

(*dd*) if deemed expedient, to organize and carry on gymnasium classes in the school building for pupils or others during the school term or in vacation or both, and to provide supervision and training for such classes, provided the proper conduct of the school is not interfered with.

Rev. Stat., c. 325, s. 7, subs. 2, cl. *bb*, (1930, c. 63, s. 13) amended.

8. The clause lettered *bb* in subsection 2 of section 7 of *The Continuation Schools Act* as enacted by section 13 of *The School Law Amendment Act, 1930*, is amended by striking out all the words therein after the word "value" in the eleventh line and inserting in lieu thereof the words: "but for the purposes of this clause the cost of education of county pupils shall not be deemed to include as part thereof any money paid by the local municipality of which such continuation school district is formed to the county by way of county taxation for pupils for the cost of whose education the county may be liable, but who attend schools in other counties, cities or separated towns or who attend a school in the county elsewhere than in the continuation school district in which they reside," so that the clause shall now read as follows:

Cost of education of county pupils,—what to include.

(*bb*) There shall be paid also by the county to a continuation school established in an incorporated town or village or in a consolidated school district the share of the cost of the education of county pupils which the area which constitutes a continuation school district of an incorporated town or village or a consolidated school district which maintains a continuation school paid to the county during the preceding year, as included in the rates levied by the county council according to the relative equalized value but for the purposes of this clause the cost of education of county pupils shall not be deemed to include as part thereof any money paid by the local municipality of which such continuation school district is formed to the county by way of county taxation for pupils for the cost of whose education the county may be liable, but who attend schools in

other

other counties, cities or separated towns or who attend a school in the county elsewhere than in the continuation school district in which they reside.

9. Section 23 of *The High Schools Act* as amended by section of *The School Law Amendment Act, 1929*, is further amended by adding thereto the following clauses: Rev. Stat., c. 326, s. 23, amended.

(*cc*) if deemed expedient, to provide and maintain such equipment as may be deemed advisable and to operate the playground as a park or playground and rink during the school term or in vacation or both, and to provide such supervision as the Board may deem proper, provided the proper conduct of the school is not interfered with; Operation of playgrounds.

(*ccc*) if deemed expedient, to organize and carry on gymnasium classes in the school building for pupils or others during the school term or in vacation or both, and to provide supervision and training for such classes, provided the proper conduct of the school is not interfered with. Organization and operation of gymnasium.

10. Subsection 2*a* of section 35 of *The High Schools Act* as enacted by subsection 2 of section 16 of *The School Law Amendment Act, 1930*, is amended by striking out all the words therein after the word "board" in the eighth line and inserting in lieu thereof the words "but for the purposes of this subsection the cost of education of county pupils shall not be deemed to include as part thereof any money paid by the local municipality of which such high school district is formed, to the county by way of county taxation for pupils for the cost of whose education the county may be liable, but who attend schools in other counties, cities or separated towns or who attend a school in the county elsewhere than in the high school district in which they reside," so that the subsection shall now read as follows: Rev. Stat., c. 326, s. 35 subs. 2*a*, (1930, c. 63, s. 16, subs. 2), amended.

(2*a*) There shall be paid also by the county to the high school board the share of the cost of education of county pupils which the high school district which maintains the high school paid to the county during the preceding year as included in the rates levied by the county council according to the relative equalized value and the total amount so ascertained shall be the sum payable by the council to the board; but for the purposes of this subsection the cost of education of county pupils shall not be deemed to include as part thereof any money paid by the local municipality of which such high school district is formed to the county by way of county taxation for pupils Cost of education of county pupils,—what to include.

for

for the cost of whose education the county may be liable, but who attend schools in other counties, cities or separated towns or who attend a school in the county elsewhere than in the high school district in which they reside.

Rev. Stat., c. 326, s. 37, amended.

11. Section 37 of *The High Schools Act* as amended by section 10 of *The School Law Amendment Act, 1929*, is further amended by adding thereto the following subsection:

Procedure before city or separated town can collect from county the cost of education of county pupils.

(1*a*) The board of a city or separated town shall not be entitled to collect from a county the cost of education of any county pupil until,—

(*a*) the board has furnished to the clerk of the county in which the pupil resides, a statement showing the average assessment of ratepayers in the school district in which the school is situate;

(*b*) a statement signed by a parent or guardian of such pupil showing whether or not the said parent or guardian is assessed within the district in which the school is situate, and if so assessed the amount of such assessment, such statement to be submitted to the county clerk along with the account for tuition of county pupils.

Rev. Stat., c. 326, s. 53, subs. 1, repealed.

12. Subsection 1 of section 53 of *The High Schools Act* is repealed and the following substituted therefor:

Proportion of salary to which teacher entitled.

(1) Every agreement between a board and a teacher shall be in writing, signed by the parties thereto and sealed with the seal of the board and, unless otherwise expressly agreed, a teacher shall be entitled to be paid his salary in the proportion which the total number of days during which he has taught, bears to the whole number of teaching days in the year.

Rev. Stat., c. 326, s. 56, subss. 1, 2, repealed.

13. Subsections 1 and 2 of section 56 of *The High Schools Act* are repealed and the following substituted therefor:

Terms.

(1) The school year shall consist of two terms, the first of which shall begin on the 1st day of September and shall end on the 22nd day of December and the second of which shall begin on the 3rd day of January and end on the 29th day of June.

Holidays.

(2) Every Saturday, every public holiday, the week following Easter Day and every day proclaimed a

holiday

holiday by the authorities of the municipality in which the teacher is engaged and every day upon which a school is closed under the provisions of *The Public Health Act* or the regulations of the Department of Education, shall be a school holiday. Rev. Stat., c. 262.

14. Section 3 of *The Boards of Education Act* is amended by adding thereto the following subsection: Rev. Stat., c. 327, s. 3, amended.

(6*a*) Where at any election the full number of elective members are nominated or declared elected, or where more than the full number of required members are nominated and subsequently, by reason of failure to qualify or otherwise, no more than the full number of elective members remain in nomination, then at the next election, members shall be nominated to serve for two years or one year as the case may be. Procedure where full number of elective members nominated.

15. *The Vocational Education Act* is amended by adding thereto the following Part: 1930, c. 64, amended.

PART III.

JOINT VOCATIONAL SCHOOL BOARDS IN SPECIAL VOCATIONAL SCHOOL DISTRICTS.

24.—(1) The Minister, upon the application of the boards of two or more municipalities made with the approval of the councils of such municipalities, may establish and designate the municipalities as a vocational school district for the purposes of this Act. Joint vocational school district,—establishment of.

(2) Where no board exists in a municipality, the application in respect of such municipality may be made by the board of public school trustees and the board of separate school trustees of the municipality, or if in such municipality there is only a board either of public school trustees or separate school trustees, the application may be made by such board. Application,—by whom to be made.

(3) A vocational school district established under this section shall be known by such name as may be designated by the Minister. Name of district.

25.—(1) There shall be appointed for every vocational school district established under section 24 a joint board of trustees to be known as "The . . . . . Vocational School Board," composed of three members from each of the municipalities within the vocational school district and appointed in the following manner: Board of trustees,—appointment of.

(*a*) In a municipality having a board, the three members shall be appointed by such board, two of the appointees to be members of the board;

(*b*) In a municipality having no board but having a public school board and a separate school board, two members shall be appointed by the public school board, one of whom shall be a member of the said board, and one member by the separate school board who shall be a member of that board;

(*c*) In a municipality having no board and having a public school board only, three members shall be appointed by the said board two of whom shall be members of such board.

(*d*) Where a vocational school district is composed of municipalities, any one or more of which is not separated from the county, the county council shall appoint three members to the vocational school board.

Qualification of members.

(2) The third member to be appointed under clauses *a*, *b* and *c* and the three members to be appointed under clause *d* shall be British subjects, of the full age of twenty-one years, who are interested in the development of vocational education and are engaged in either the manufacturing, agricultural, commercial or other industries of the municipality which they represent.

Term of office.

(3) All appointees under subsection 1 shall hold office for one year.

Powers of board.

26. The board so created shall have the powers of the boards of education, high school boards, continuation school boards and the public and separate school boards for the said vocational school district for the purposes of *The Vocational Education Act, 1930*, and amendments thereto, and shall be a corporation by the name of "The . . . . . Vocational School Board."

By-laws passed by council on application of board.

27.—(1) The council of any municipality included within the district on the application of the board, may pass a by-law for borrowing money by the issue and sale of debentures for the purchase of a site and the erection of a school, and for the extensions, equipment, improvements, repairs or furnishings, and it

shall

shall not be necessary that the by-law shall be submitted to the electors for their assent, but if the council of any of the municipalities refuses to pass such by-law it shall, if requested by the board, submit the same to a vote of the electors qualified to vote on money by-laws under *The Municipal Act*, and on the assent of such electors being obtained shall finally pass the by-law and issue such debentures if the other municipalities are likewise providing their share.

Amount of debentures.

(2) The debentures may be for such amount and run such number of years, not exceeding thirty, as the council may see fit.

Amounts to be raised by council.

(3) The amounts to be raised respectively by the council of each municipality in the vocational school district for the said purposes shall be the proportion that the last revised assessment of such municipality, multiplied by the population, as determined by the last enumeration of the assessors, bears to the total assessment of the municipalities comprising the vocational school district, multiplied by the total population of such municipalities, as similarly determined.

Contributions by municipal councils to vocational schools.

28. The municipal councils comprising a vocational school district shall contribute to the maintenance of a vocational school erected under the provisions of section 27 hereof in the same proportion as is provided in subsection 3 of the said section for the purposes enumerated in subsection 1 thereof, and each council forming part of a vocational school district upon the request of the vocational school board within such district shall levy and collect in each year within its municipality in the same manner as other municipal taxes, the amounts determined by the vocational school board as necessary for the said purpose.

Rev. Stat., c. 4, amended.

16. *The Haliburton Act* is amended by adding thereto the following section:

CONTINUATION AND HIGH SCHOOL GRANTS.

Liability of county of Haliburton.

17. The liability of the county of Haliburton for the equivalent of the continuation school and high school grants under *The Continuation Schools Act* and *The High Schools Act* and for the cost of education of county pupils where such cost exceeds these grants,

Rev. Stat., cc. 325, 326.

shall

shall be payable one-third by the county and two-thirds out of the provincial grants for secondary schools upon the requisition of the Minister of Education.

Rev. Stat., c. 246, s. 77, repealed.

17. Section 77 of *The Public Libraries Act* is repealed.

Commencement of Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 72.

The McMaster University Lands Act, 1931.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The McMaster University Lands Act, 1931.* Short title.

2. The lands described as follows, namely,— Lands on Bloor Street, Toronto, vested in Province.

"All and singular that certain parcel or tract of land and premises situate, lying and being in the city of Toronto in the county of York and Province of Ontario (containing by admeasurement one and forty-three one-hundredths (1 43/100ths) acres, be the same more or less) and being parts of park lots numbers twelve and thirteen, more particularly described as follows: Commencing in the southerly limit of Bloor Street at a point where a stone monument has been planted at the distance of seven hundred and eighty-six feet on a course north seventy-four degrees east from the easterly limit of St. George Street; thence north seventy-four degrees east or along the southerly limit of Bloor Street two hundred and fifty feet to a stone monument; thence south sixteen degrees east or at right angles to Bloor Street two hundred and fifty feet to a stone monument and thence south seventy-four degrees west or parallel to Bloor Street two hundred and fifty feet to a stone monument and thence north sixteen degrees west or at right angles to Bloor Street, two hundred and fifty feet to the place of beginning. Save and except the strip of land containing 3,414 8/10 square feet taken from the front of said parcel for the widening of Bloor Street, by the city of Toronto under the authority of by-law number 9416, finally passed November 28th, A.D. 1922;

are

are hereby vested in His Majesty the King in the right of the Province of Ontario for the general purposes of the Province, free from all trusts, covenants, conditions, restrictions, liens, charges and encumbrances whatsoever.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 73.

An Act to amend The Industrial Schools Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Industrial Schools Act, 1931.* Short title.

2.—(1) The clause lettered *f* in section 1 of *The Industrial Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 329, s. 1, cl. f, repealed.

(*f*) "Minister" shall mean that member of the Executive Council to whom for the time being the administration of this Act is assigned. "Minister."

(2) The said section 1 is further amended by adding thereto the following clauses: Rev. Stat., c. 329, s. 1, amended.

(*i*) "Regulations" shall mean regulations made by the Lieutenant-Governor in Council under the authority of this Act; "Regulations."

(*j*) "Advisory Board" shall mean The Industrial Schools Advisory Board appointed under this Act. "Advisory Board."

3. Subsection 2 of section 2 of *The Industrial Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 329, s. 2, subs. 2, repealed.

(2) (*a*) An industrial school shall not be erected or acquired until the site and plans of the buildings have been approved in writing by the Minister, and no change in the site and no sale or disposal of any portion thereof, and no structural alteration in the building shall be made until the like approval has been given.

(*b*) The Board shall submit all rules, regulations and policies of training to the Minister for approval.

4.

Rev. Stat., c. 329, s. 12, repealed.

4. Section 12 of *The Industrial Schools Act* is repealed and the following substituted therefor:

Children committed to industrial school may be sent to training school.

12. Whenever a child may be sent to an industrial school such child may, with the approval of the Minister, be sent to a training school established under *The Ontario Training Schools Act, 1931.*

Rev. Stat., c. 329, s. 13, repealed.

5. Section 13 of *The Industrial Schools Act* is repealed.

Rev. Stat., c. 329, s. 14, amended.

6. Section 14 of *The Industrial Schools Act* is amended by striking out the word "inspector" in the first line and inserting in lieu thereof the words "Advisory Board," so that the section shall now read as follows:

Religious persuasion of offenders.

14. The judge or Advisory Board shall endeavour to ascertain the religious persuasion to which the child belongs, and shall as far as practicable send a Roman Catholic child to a Roman Catholic industrial school and a child of any other religious persuasion to a school established by and with the sanction of a board of public school trustees.

Rev. Stat., c. 329, s. 17, subs. 1, amended.

7. Subsection 1 of section 17 of *The Industrial Schools Act* is amended by striking out the words "or inspector" in the first line and inserting in lieu thereof the words "or Minister," so that the subsection shall now read as follows:

Particulars to be set out in order.

(1) The judge or Minister shall in his order designate the school to which the child is to be sent and the person in whose custody he is to be conveyed to the school, and shall where practicable state the name, age and parentage of the child, his religious persuasion and the municipality liable for his maintenance.

Rev. Stat., c. 329, s. 18, repealed.

8. Section 18 of *The Industrial Schools Act* is repealed and the following substituted therefor:

Depositions to be filed for use of Advisory Board.

18. The judge shall deliver to the person having the execution of the order the depositions taken by him or a certified copy thereof which depositions or copy shall be delivered to the general superintendent or officer receiving the child into the industrial school, which depositions shall be placed at the disposal of the Advisory Board.

Rev. Stat., c. 329, s. 19, subss. 1, 2, repealed.

9.—(1) Subsections 1 and 2 of section 19 of *The Industrial Schools Act* are repealed.

(2) Subsection 3 of the said section 19 is amended by striking out the word "inspector" in the fourth line and inserting in lieu thereof the word "regulations," so that the subsection shall now read as follows: Rev. Stat., c. 329, s. 19, subs. 3, amended.

(3) An industrial school board shall exercise and maintain supervision over every child committed to its guardianship after leaving the school, and shall keep such records and provide for such visits as may be prescribed by the regulations. Supervision after leaving school.

10. Section 20 of *The Industrial Schools Act* is amended by adding at the end thereof the words "or until the Advisory Board otherwise provides that the guardianship of the industrial school shall cease and determine," so that the section shall now read as follows: Rev. Stat., c. 329, s. 20, amended.

20. Subject to the provisions of section 22 every child committed to an industrial school shall remain under the guardianship of the industrial school board, and it shall possess and exercise all the rights and powers of a parent in regard to such child until he shall attain the age of twenty-one years or until the advisory board otherwise provides that the guardianship of the industrial school shall cease and determine. Persons committed to remain under guardianship until 21 years old.

11. Section 21 of *The Industrial Schools Act* is repealed. Rev. Stat., c. 329, s. 21, repealed.

12. Section 22 of *The Industrial Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 329, s. 22, repealed.

22. The Minister may, at any time, order that a child be transferred from one industrial school to another or to any school established under *The Ontario Training Schools Act, 1931*, or to any foster home, or may order that a child be discharged from an industrial school either absolutely or on such conditions as he may think fit and the child shall be transferred or discharged accordingly; or may direct that a child who has been placed in a foster home under the provisions of *The Children's Protection Act*, or who has been placed in a training school under the provisions of *The Ontario Training Schools Act, 1931*, shall be sent to an industrial school. Transfer of children from school.

13. Section 24 of *The Industrial Schools Act* is repealed and the following substituted therefor: Rev. Stat., c. 329, s. 24, repealed.

24. The Advisory Board may permit a child sent to the industrial school to live at a foster home or at the dwelling of any trustworthy and respectable person approved Children placed out to remain under control of advisory board.

approved of by the local superintendent of the Children's Aid Society, but the control of the industrial school board shall not thereby be abated or diminished nor the liability of any municipality for the maintenance of such child altered except as directed by the Advisory Board.

Rev. Stat., c. 329, s. 25, amended.

14. Section 25 of *The Industrial Schools Act* is amended by striking out the words "industrial school board" in the second line and inserting in lieu thereof the words "Advisory Board," so that the section shall now read as follows:

What shall be deemed escape from school.

25. If the child leaves the person with whom he is placed without the permission of the Advisory Board, or refuses to return to the school he shall be deemed to have escaped from the school.

Rev. Stat., c. 329, s. 27, repealed.

15. Section 27 of *The Industrial Schools Act* is repealed and the following substituted therefor:

Maintenance.

27.—(1) Where the maintenance of a child is not otherwise fully provided for, the municipality in which the child resided for a period of three months within the five months next prior to his admission to the school, shall pay the sum of fifty cents per day towards the expense of maintenance.

(2) Upon payment by a municipality to an industrial school of any account for maintenance of a boy or girl by reason of such boy or girl having been assumed to be a resident in such municipality, and it being ascertained that such boy or girl was not resident therein at the time of commitment to the industrial school but was a resident in another municipality in Ontario, the municipality which made such payment may recover the amount thereof as a debt from the municipality in which such boy or girl was resident.

Rev. Stat., c. 329, s. 30, amended.

16. Section 30 of *The Industrial Schools Act* is amended by striking out the word "inspector" in the fourth line and inserting in lieu thereof the word "Minister," so that the section shall now read as follows:

Rules of I.S. Board.

30. Every industrial school board may make rules for the management and discipline of the industrial school established by it, but such rules shall not take effect until approved in writing by the Minister.

Rev. Stat., c. 329, amended.

17. *The Industrial Schools Act* is amended by adding thereto the following sections:

Advisory Board.

35.—(1) For the purpose of this Act there shall be established an advisory board of three members which shall be known as The Industrial Schools Advisory Board.

Appointment.

(2) The members of the Advisory Board shall be appointed by the Lieutenant-Governor in Council with the powers and for the purposes herein prescribed.

Term of office.

(3) The members shall be appointed for a period of two years.

Chairman, Secretary.

(4) The Lieutenant-Governor in Council may, from time to time, appoint one of the members of the Advisory Board to be the chairman thereof and another member of the Board to be the secretary thereof.

May be reappointed.

(5) Members of the Advisory Board shall be eligible for reappointment.

Allowances for expenses.

(6) The members of the Advisory Board shall serve without remuneration except that the Lieutenant-Governor in Council may fix a per diem allowance to be payable to each member for attendance at the meetings of the Board and every member shall be entitled to his reasonable and necessary travelling expenses as certified by the chairman for attendance at such meetings and in the transaction of the business of the Board.

Regulations.

36.—Subject to the approval of the Lieutenant-Governor in Council, the Advisory Board may make regulations,—

(*a*) defining the duties, powers and responsibilities of the Advisory Board;

(*b*) defining the type of courses, vocational, academic and physical, to be provided by the industrial schools and setting the standard for instruction.

Duties of Advisory Board.

37.—It shall be the duty of the Advisory Board,—

(*a*) to receive a copy of the commitment order of every child sent to an industrial school;

(*b*) to obtain a report of his previous record, previous social history, school standing,

mental

mental intelligence, physical condition and religious denomination;

(*c*) to designate the industrial or other school in which the child is to be placed for training after commitment and the type of instruction suited to the mental intelligence of the child;

(*d*) to make recommendations pertaining to his parole and define the conditions under which he may receive parole;

(*e*) to give the child over to the custody of his or her parents, or apprentice or place out in a foster home as soon as practicable after commitment, or cause the child to be returned to the school if deemed necessary.

Regulations by Council.

38. The Lieutenant-Governor in Council upon the recommendation of the Minister, may make such regulations in respect to industrial schools as may be deemed necessary for,—

(*a*) the records, books, accounting systems, audits, reports and returns to be made and kept by industrial schools.

(*b*) the better carrying out of the provisions of this Act.

Commencement of Act.

18. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 74.

An Act to amend The Houses of Refuge Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. This Act may be cited as *The Houses of Refuge Amendment Act, 1931.* Short title.

2. Wherever in *The Houses of Refuge Act* reference is made to the inspector or inspectors of prisons and public charities the said Act shall be construed and be deemed to refer to an inspector appointed under *The Department of Public Welfare Act, 1931.* Rev. Stat. c. 348, amended.

3. Section 17 of *The Houses of Refuge Act* is amended by striking out the words "Provincial Secretary" in the fourth and fifth lines and inserting in lieu thereof the words "Minister of Public Welfare." Rev. Stat. c. 348, s. 17, amended.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER 75.

An Act to amend The District Houses of Refuge Act.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The District Houses of Refuge Amendment Act, 1931.*

Rev. Stat. c. 349, s. 4, amended.

2. Section 4 of *The District Houses of Refuge Act* is amended by striking out the words "Provincial Secretary" in the second line and inserting in lieu thereof the words "Minister of Public Welfare."

Rev. Stat. c. 349, amended.

3. Wherever in *The District Houses of Refuge Act* reference is made to the inspector or inspectors of prisons and public charities the said Act shall be construed and deemed to refer to an inspector appointed under *The Department of Public Welfare Act, 1931.*

Rev. Stat. c. 349, s. 13, amended.

4. Section 13 of the said Act is amended by striking out the words "*The Hospitals and Charitable Institutions Act*" and inserting in lieu thereof the words "*The Charitable Institutions Act, 1931.*"

Rev. Stat. c. 349, amended.

5. *The District Houses of Refuge Act* is amended by adding thereto the following section:

Liability for indigent inmates from municipalities in other districts.

13*a*.—(1) Where an inmate in a district house of refuge was at the time of his admission a resident in a municipality in a territorial district other than the one for which the house of refuge is established, such municipality shall if the inmate is an indigent person be liable to pay to the board for the maintenance of such inmate at the rate of ninety cents per day for every day in which he is an inmate in the house of refuge.

(2) For the purposes of this section an inmate shall be deemed to be a resident in a municipality if he actually resided therein for three months out of the five months next preceding admission to the house of refuge. Meaning of "Resident."

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 76.

An Act respecting Sanatoria for Consumptives.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

PART I.

INTERPRETATION, ETC.

Short title.

1. This Act may be cited as *The Sanatoria for Consumptives Act, 1931.*

Interpretation.

2. In this Act,—

"Association."

(*a*) "Association" shall mean and include any association, body or organization howsoever incorporated, authorized or empowered for the purpose of establishing, maintaining or operating a sanatorium;

"Board."

(*b*) "Board" shall mean a board of trustees, directors, commission or other governing body or authority of a sanatorium;

"Dependant."

(*c*) "Dependant" shall mean and include a patient for the charges for whose treatment some other person is liable in law;

"Department."

(*d*) "Department" shall mean the Department of Health for Ontario;

"Inspector."

(*e*) "Inspector" shall mean an officer of the Department designated under this Act as an inspector;

"Minister."

(*f*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act;

"Municipality."

(*g*) "Municipality" shall mean a city, separated town or county, except that in a territorial district it shall mean a city, town, village or township;

"Patient.

(*h*) "Patient" shall mean a person admitted to a sanatorium for the purpose of treatment;

(*i*) "Preventorium" shall mean a sanatorium for treatment of patients who may not be infected with tuberculosis but who are suspected as being infected with or are considered likely to become infected with tuberculosis or who have been exposed to infection from tuberculosis; "Preventorium."

(*j*) "Provincial aid" shall mean aid granted to a sanatorium out of moneys appropriated for the purpose by the Legislature; "Provincial aid."

(*k*) "Regulations" shall mean regulations made under this Act; "Regulations."

(*l*) "Resident" shall mean a person who has actually resided in a municipality for the period of three months within the five months next prior to admission to a sanatorium; "Resident."

(*m*) "Sanatorium" shall mean and include any sanatorium, preventorium, institution, building or other premises or place, howsoever created, established or incorporated for the treatment of patients; "Sanatorium."

(*n*) "Superintendent" shall mean the person who has for the time being the direct and actual superintendence and charge of a sanatorium; "Superintendent."

(*o*) "Territorial district" shall mean any of the territorial districts set forth in *The Territorial Division Act;* "Territorial district."

(*p*) "Treatment" shall mean and include the stay, maintenance, observation, care, nursing and treatment, preventive or otherwise, of a patient who is infected or suspected of being infected or who is considered likely to become infected with tuberculosis, or who has been exposed to infection from tuberculosis. "Treatment."

(*q*) "Unorganized territory" shall mean that part of a territorial district which is without municipal organization. "Unorganized territory."

PART II.

DEPARTMENTAL CONTROL.

3.—(1) The several institutions with their respective properties and appurtenances which under *The Sanatoria for Consumptives Act* received aid for the year 1930 from the Province of Ontario shall for the purposes of this Act be deemed to be sanatoria, as if the same had been approved under this Act. Sanatoria aided in 1930 approved.

(2)

New sanatoria to be approved.

(2) No institution, building or other premises or place shall hereafter be created, established, incorporated, operated or used as a sanatorium until the same has been approved by the Lieutenant-Governor in Council.

Suspension or revocation of approval.

(3) Any approval given or deemed to have been given under this Act in respect of any sanatorium may be suspended by the Minister or revoked by the Lieutenant-Governor in Council.

Regulations for sanatoria.

4. The Lieutenant-Governor in Council, upon the recommendation of the Minister, may make such regulations with respect to sanatoria as may be deemed necessary for,—

Creation, construction, etc.

(*a*) their creation, establishment, construction, alteration, equipment, maintenance and repair;

Classification, etc.

(*b*) their classification, grades and standards;

Inspection, operation, etc.

(*c*) their inspection, control, government, management, conduct, operation and use;

Staffs, etc.

(*d*) their inspectors, superintendents, staffs, officers, servants and employees and the powers and duties thereof;

Patients, etc.

(*e*) the admission, treatment, conduct and discharge of patients;

Rates, etc.

(*f*) the classification, length of stay, rates and charges of and for patients;

Accounting, etc.

(*g*) the records, books, accounting system, reports and returns to be made and kept by sanatoria;

Provincial aid.

(*h*) the distribution, payment, withholding and restoration of and other matters affecting provincial aid; and

General.

(*i*) all other matters affecting sanatoria.

Enforcement of Act.

5. It shall be the duty of the Department and it shall have power to administer and enforce the provisions of this Act, and the regulations. And the Department may, from time to time, declare all or any of the regulations to be in force with respect to all sanatoria or any specified sanatorium or sanatoria for such time or times as the Department may deem expedient.

Inspectors.

6. The Minister, with the approval of the Lieutenant-Governor in Council may designate one or more officers of

the

the Department to be inspectors for the purposes of this Act and the regulations, and the powers and duties of such inspectors shall be prescribed by the regulations.

Powers of sanatorium.

7. Every sanatorium approved or deemed to be approved under this Act may be carried on under the powers and authorities conferred by any general or special Act under which it was created, established, incorporated or empowered, but where the provisions of any general or special Act heretofore passed conflict with the provisions of this Act or the regulations the provisions of this Act and the regulations shall prevail.

PART III.

MUNICIPAL SANATORIA.

Establishment of municipal sanatorium.

8. Subject to the provisions of this Act, any municipal corporation, including a county, or, jointly, any two or more such municipal corporations, may establish a sanatorium, and may for that purpose acquire land and erect and equip buildings thereon and do such other things as may be necessary or incidental to the establishment, completion, maintenance and operation of a sanatorium, and the carrying out of the provisions of this Act and the regulations.

Provisional agreement for joint sanatorium.

9. When two or more municipal corporations propose jointly to establish a sanatorium the councils of such corporations shall provisionally agree upon the proposal respecting the same.

Submission of proposals to Department.

10. Any municipal corporation or corporations which propose to establish a sanatorium shall submit the proposals to the Department and therewith shall also submit such provisional by-laws, agreements, plans, estimates and other material and information as may be required by the regulations.

Site in another municipality.

11. If the site for a proposed sanatorium is situate elsewhere in Ontario than in the municipality or in one of the municipalities, the corporation of which is proposing or is a party to proposing its establishment, the Department shall, upon the proposals being submitted to it, notify in writing the head of the municipality in which the site is situate of the proposals made, and the council of such municipality, shall within one month after receipt of such notice, state in writing to the Department, the objections, if any, which it may have to the establishment of a sanatorium on such site, but no such objection shall necessarily prevent approval being given hereunder.

Approval by Order-in-Council.

12. The Minister shall submit the proposals, with any report thereon which he may see fit to make, to the Lieutenant-Governor in Council, and upon the same being approved, either as submitted or as modified or altered in any way by the Lieutenant-Governor in Council, such approval shall, subject as hereinafter provided, be sufficient authority for the municipal corporation or corporations to establish a sanatorium in accordance therewith.

Procedure for establishment, by-laws, etc.

13. When by approval of the Lieutenant-Governor in Council a municipal corporation is, or, jointly, two or more municipal corporations are authorized to establish a sanatorium, the council or councils of such corporation or corporations, as the case may be, may with the assent of the electors of such municipality or municipalities qualified to vote on money by-laws, pass all by-laws necessary to establish, erect, complete and equip the sanatorium and to issue debentures to pay for the cost thereof and where, jointly, two or more municipal corporations are establishing the sanatorium to enter into an agreement respecting the same according to form approved by the Lieutenant-Governor in Council.

County sanatorium.

14. Where the municipal corporation authorized by the approval of the Lieutenant-Governor in Council, either alone or jointly with another municipal corporation, to establish a sanatorium is a county, it shall not be necessary that any by-laws passed by the council of such county, under section 13, shall be assented to by the electors qualified to vote on money by-laws if such by-laws are passed with the vote of two-thirds of all the members of the county council.

Rev. Stat., c. 233, to apply.

15. Subject as otherwise herein provided, the provisions of *The Municipal Act* shall apply to all by-laws passed and to all debentures issued by a municipal corporation under this Act.

Improvements for sanatorium.

16. When it is proposed by a municipal corporation, which has or by two or more municipal corporations which, jointly, have established a sanatorium, to make any extensions, additions, or structural alterations or improvements to such sanatorium, or to erect any new buildings in connection therewith, the powers and proceedings with respect to such proposals and obtaining approval thereof, and to the passing of by-laws, issue of debentures and entering into of agreements, shall be the same as for the establishment of a sanatorium.

Board of management.

17. When a municipal corporation has, or, jointly, two or more municipal corporations have established a sanatorium the management and control over the same, and its erection,

equipment,

equipment, maintenance, operation, use and affairs generally shall be vested in a board composed of not less than five trustees to be appointed by by-law of the establishing municipal corporation or in case of the establishment of a sanatorium, jointly, by two or more municipal corporations, in accordance with the provisions of the agreement entered into respecting the same.

Trustees.

18. The qualifications of the trustees forming the board, their term of office, which shall not exceed five years, the quorum of their meetings and the manner of appointment of successors and of filling vacancies in the office of trustees shall be provided for in such by-law or agreement; and the trustees appointed shall hold office until their successors are appointed.

Corporate body.

19. The Board of trustees of a sanatorium shall be a corporation under such name as may be designated in the approval given by the Lieutenant-Governor in Council for its establishment.

Chairman.

20. The board shall of its members elect yearly one of them to be its chairman to hold office for one year, or until his successor is appointed; and a vice-chairman may also similarly be elected.

Agreements with associations.

21. With the approval of the Lieutenant-Governor in Council, an association which has authority to establish, maintain and operate a sanatorium may enter into an agreement with one or more municipal corporations, including a county or counties, respecting the establishment of such sanatorium or with respect to providing in whole or in part the cost of erecting, equipping, improving, enlarging, extending or altering a sanatorium established by the association, but no by-law of a municipal corporation for the purpose of providing any such cost, by the issue of debentures or otherwise, shall be passed otherwise than in accordance with the provisions of sections 13 or 14 in respect to by-laws passed thereunder.

PART V.

ALL SANATORIA.

Application of Part.

22. The provisions of this Part shall apply to all sanatoria whether established by municipal corporations or associations.

Powers of Board.

23. Subject as in this Act and the regulations provided, or in any agreement entered into under the provisions of this Act stipulated, it shall be the duty of the board of a sanatorium, and it shall have power to govern, manage and

control

control its affairs, and its maintenance, operations and use, and the admission, treatment, conduct, discipline and discharge of patients therein, and for such purposes the board may pass by-laws, rules and regulations, but no such by-law, rule or regulation shall have force or effect until the same is approved by the Lieutenant-Governor in council.

Appointment of staff.

24. Subject to the regulations, the board may appoint such superintendents, officers, staffs, employees, and servants of a sanatorium as from time to time may be necessary and fix their salaries and prescribe their powers and duties.

Powers of expropriation.

25. With the approval of the Lieutenant-Governor in Council, the board may pass by-laws for expropriating any land adjacent to or in the vicinity of a sanatorium, which may be deemed requisite for or advantageous to its purposes, and in that behalf may exercise the powers of expropriation conferred on a municipality under *The Municipal Act*, the provisions of which relating thereto shall, *mutatis mutandis*, apply to and govern the exercise of such powers so far as the same are applicable or necessary thereto, and the superintendent in such case shall exercise the powers and perform the duties which under the said Act are to be exercised and performed by the clerk of the municipality; provided, however, that the board of a sanatorium which has been established by a municipal corporation or corporations, shall not exercise any such power of expropriation without the consent first obtained of the council or councils of such corporation or corporations.

Rev. Stat., c. 233.

Exemption from taxation.

26. The real property acquired and used for the purpose of and in connection with a sanatorium shall be exempt from all municipal or other taxation, including taxation for school purposes, except and excluding however, any municipal tax or rate imposed in respect to any public utility supplied to a sanatorium.

Sale, etc., to be approved.

27. No part of any property acquired or used for the purposes of a sanatorium shall be sold, leased, mortgaged, or otherwise disposed of without the approval of the Lieutenant-Governor in Council.

Protection from adverse expropriation.

28. No part of any property acquired or used for the purposes of a sanatorium shall be expropriated by any corporation or person having powers of expropriation under any Act, without the approval of the Lieutenant-Governor in Council.

Saving as to highway widening.

29. Nothing in sections 27 and 28 contained, shall apply to or prevent the sale, disposition or expropriation of any part of the property acquired or used for the purposes of a

sanatorium

sanatorium if the same is required in the widening of any highway, if the Minister has first approved thereof.

Donations.

30. The board may accept from any person donations of property, real or personal, and whether by will or otherwise, for the endowment, use or benefit of a sanatorium and subject to the terms of the donation may apply the same for such purposes.

Approval for closing sanatorium.

31. No sanatorium which has been approved and established may permanently be closed without the approval of the Lieutenant-Governor in Council, and when any sanatorium is closed or proposed to be closed permanently, the Lieutenant-Governor in Council may make such provision for the sale or other disposition of the sanatorium and all the properties and assets thereof, and for the application of any proceeds of such sale or disposition and otherwise in every respect, as he may deem proper.

Medical students' clinics.

32. Subject to the provisions of any existing agreement relating thereto, every sanatorium receiving provincial aid shall provide such reasonable facilities for giving instruction to medical students of any university as may be required by the regulations.

Sanatorium to admit patients.

33. Except as may otherwise be provided in this Act, no sanatorium receiving provincial aid shall refuse to admit as a patient any person who is in need of treatment.

Admissions to preventorium.

34. A preventorium, however, shall not be required to admit as a patient any person who is actually infected with tuberculosis.

Admissions to association sanatorium.

35. Except as may otherwise be provided in this Act or in the agreement, no sanatorium established by an association which has entered into an agreement with a municipal corporation under this Act shall refuse to admit as a patient any indigent person or dependant of an indigent person resident in such municipality and requiring treatment.

Refusal of communicable disease cases.

36. Nothing in this Act contained shall require that any sanatorium admit or retain as a patient any person suffering from a communicable disease which under *The Public Health Act* or regulations made thereunder requires quarantine and placarding.

Refusal of non-residents.

37. Nothing in this Act contained shall unless by refusal of admission, life would thereby be endangered, require that any sanatorium admit as a patient any person who is not a resident or a dependant of a resident in Ontario.

PART

PART VI.

MUNICIPAL LIABILITY.

Municipal liability for indigent patients.

38.—(1) Subject as in this Act may otherwise be provided, when any patient in a sanatorium is an indigent person or a dependant of an indigent person, that municipality in which such person was a resident at the time of admission shall be liable to the sanatorium for payment of the charges for treatment of such patient at a rate not exceeding $1.50 per day.

Relief of certain municipalities.

(2) Where in the opinion of the Minister liability under this section would in any year unduly burden any municipality in a territorial district, other than a city, the Lieutenant-Governor in Council upon the recommendation of the Minister may make special grants by way of provincial aid to relieve in whole or in part such municipality from the burden.

Liability for non-residents may be assumed.

39. A municipality may pay to a sanatorium the charges for treatment of a patient notwithstanding that such patient was not a resident in such municipality at the time of admission to such sanatorium.

Burial expenses.

40.—(1) In the event of the death in a sanatorium of any patient who is an indigent person or a dependant of an indigent person, that municipality in which such indigent person was a resident at the time of admission shall pay to the sanatorium any expenses of burial which it may incur, but not exceeding $30.

Contribution to Last Post Fund.

(2) If such deceased patient was a member of His Majesty's military or naval forces in active service during the Great War, 1914–1918, and the burial was provided by and paid for from the Last Post Fund, the said municipality shall pay the expenses of such burial, but not exceeding the sum of $30 to the Last Post Fund upon proof of such burial and demand for payment made by a properly accredited officer of the said fund.

Notice of admission to municipality.

41. Upon admission or after admission to a sanatorium of any patient who is or is represented to be or becomes an indigent person or the dependant of an indigent person, the superintendent shall by registered letter notify the clerk of the municipality in which such indigent person is or is represented to be a resident, of such admission, giving such particulars as may be ascertainable to enable the clerk to identify the indigent person.

Notice disputing liability.

42. Unless the clerk of a municipality within twenty days after the date of mailing any such notice to him, shall by registered letter notify the superintendent from whom such notice was received that the patient referred to therein was not a resident in the municipality at the time of admission as a patient or is not an indigent person or a dependant of an indigent person, such municipality shall be liable for the charges for treatment of such patient as provided in this Act.

Information to be furnished.

43. The clerk of a municipality when notifying a superintendent that a patient is not a resident in the municipality or is not an indigent person or a dependant of an indigent person, shall furnish such information as he may have ascertained with respect to such patient.

Cases where residence not presumed.

44. For the purpose of this Act, no patient shall be deemed to be a resident in a municipality,—

Persons seeking medical aid.

(*a*) by reason of having gone to the municipality for the purpose of seeking medical advice or treatment or seeking admission or treatment in a sanatorium in such municipality; or

Health seekers in the districts.

(*b*) if the municipality is in a territorial district, and such patient being infected or likely or suspected of being infected with tuberculosis has gone to such municipality principally for the purpose of health and within one year after going to such municipality is admitted a patient in a sanatorium; but in such cases the patient shall for the purpose of this Act be deemed to be a resident in that municipality in which he was a resident at the time of going to a municipality in a territorial district; or

Pupils.

(*c*) if such patient has been living in the municipality by reason of being a pupil in any school, college, university, or other seminary of learning therein and at the time he became such a pupil was not a resident therein; but in such cases the patient shall for the purposes of this Act, be deemed to be a resident in that municipality in which he was a resident at the time he became such a pupil; or

Institutional inmates.

(*d*) by reason of having been a patient or an inmate of a hospital, sanatorium, house of refuge, orphanage, children's shelter or child welfare institution, gaol, reformatory, prison or other public institution in the municipality and otherwise was not a resident therein; but in such cases the patient shall for the purposes of this Act be deemed to be a resident in that municipality in which he was a resident at the time he became such an inmate or patient.

45.

County's right to contribution.

45. The corporation of a county shall have the right to recover not exceeding one-half of the charges paid by it in respect to treatment in a sanatorium of any patient for which it is liable under this Act from the corporation of the township, town or village forming a part of the county in which such patient was a resident at the time of admission.

Residence of dependant.

46. A dependant of an indigent person shall for the purposes of this Act be deemed to be a resident in that municipality in which such indigent person is resident.

Statements of account to be rendered.

47. When under this Act the charges for treatment of any patient or for burial expenses of a deceased patient are payable by a municipality the sanatorium to which such patient was admitted shall from time to time render to the clerk of the municipality statements of account of any such charges with full particulars thereof and if the amount of any such account is not paid within a reasonable time after the same has been rendered it may be recovered as a debt in any court of competent jurisdiction.

Municipal recourse against patient.

48. Upon payment by a municipality of any account rendered to it by a sanatorium for treatment of a patient or on payment by it of any expenses of burial of a deceased patient, such municipality may recover from the patient, or, in the event of his decease, from his estate or personal representatives, or, in the case of a dependant, from any person liable in law, in respect to such dependant, the amount of the payment so made, and the same may be recovered as a debt in any court of competent jurisdiction.

Municipal recourse against proper municipality.

49. Upon payment by a municipality to a sanatorium of any account for treatment of a patient or upon payment of any expense of burial of a deceased patient by reason of such patient having been assumed to be a resident in such municipality and it being ascertained that such patient was not a resident therein but at the time of admission to the sanatorium was a resident in another municipality in Ontario, the municipality which made the said payment may recover the amount thereof as a debt from the municipality in which such patient was a resident and upon payment by that municipality it shall be entitled to exercise the rights of recovery conferred under section 48.

Workmen's Compensation Board cases.

50. Nothing in this Act contained shall render a municipality liable for payment of the charges for treatment of a patient where such charges are payable by the Workmen's Compensation Board or an employer under *The Workmen's Compensation Act*.

PART

PART VII.

PROVINCIAL AID.

Provincial aid.

51.—(1) Subject to the provisions of this Act and of the regulations, provincial aid shall be distributed and may be paid out of any moneys appropriated for such purpose by the Legislature,—

Indigent rate of aid.

(*a*) for treatment of every patient who is an indigent person or the dependant of an indigent person, at the rate of seventy-five cents per day for every day that such patient is receiving treatment in a sanatorium;

Indigent rate of aid for unorganized territory.

(*b*) for treatment of every patient who is an indigent person or the dependant of an indigent person and who has actually resided in unorganized territory for the period of three months within the five months next prior to admission to a sanatorium at the rate of $2.25 per day for every day that such patient is receiving treatment in the sanatorium.

(2) In calculating the amount of provincial aid the day of departure of a patient shall not be included.

Limitation as to patients subject of aid.

(3) Except as otherwise provided in this Act, no provincial aid shall be granted to any sanatorium in respect of a patient therein, if the charges received by the sanatorium in respect to such patient exceed $1.50 per day from all sources other than provincial aid.

No aid while approval revoked, etc.

52. No provincial aid shall be granted to any sanatorium the approval of which has been revoked or suspended, or to any sanatorium which does not comply with the provisions of this Act, and the regulations.

Restoration of Provincial aid.

53. When from any cause provincial aid to any sanatorium has not been granted or the grant thereof has been withdrawn or withheld, the Lieutenant-Governor in Council may upon the recommendation of the Minister direct that such aid be granted or restored in whole or in part, but not until the approval of such sanatorium has been revived or until compliance with the provisions of this Act or the regulations is made, as the case may be.

PART VIII.

GENERAL.

Penalty.

54. Any person who contravenes or is a party to the contravention, directly or indirectly, of any provision of this Act or the regulations shall incur a penalty of not less than $5 and not exceeding $500 recoverable under *The Summary Convictions Act*.

Rev. Stat., c. 121.

Repeal.

55. *The Sanatoria for Consumptives Act*, being chapter 357 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

56. This Act shall come into force on the 1st day of October, 1931.

CHAPTER 77.

An Act respecting Private Hospitals.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. This Act may be cited as *The Private Hospitals Act, 1931.* Short title.

2. In this Act,— Interpretation.

(*a*) "Department" shall mean the Department of Health for Ontario; "Department."

(*b*) "House" shall include any building, tent or other structure, whether permanent or temporary, intended for human habitation; and where there are two or more such structures in the occupation of the same person and situate on the same piece of land they shall be deemed to constitute a single house within the meaning of this Act; "House."

(*c*) "Inspector" shall mean an officer of the Department designated as an inspector; "Inspector."

(*d*) "Maternity hospital" shall mean a private hospital for the reception and care of patients in or in respect of child-birth; "Maternity hospital."

(*e*) "Medical and surgical hospital" shall mean a private hospital for the reception of any class of patients other than those last mentioned; "Medical and surgical hospital."

(*f*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act; "Minister."

(*g*) "Patient" shall mean a person admitted to a private hospital for the purposes of treatment; "Patient."

"Private hospital."

(*h*) "Private hospital" shall mean a house in which four or more patients are or may be admitted for treatment other than,—

1931, c. 78.

(i) a hospital under *The Public Hospitals Act, 1931;*

1931, c. 76.

(ii) a sanatorium under *The Sanatoria for Consumptives Act, 1931;*

(iii) a hospital or other establishment or institution wholly or mainly supported by provincial aid;

Rev. Stat., c. 355.

(iv) an institution in respect of which a license under *The Private Sanitarium Act* is in force; or

Rev. Stat., c. 233.

(v) an institution for the reclamation and cure of habitual drunkards established under *The Municipal Act*

and, without restricting the generality of the foregoing, private hospital shall include a convalescent home, rest home, private sanatorium for consumptives, private refuge for the aged or infirm and any other hospital, home, refuge or other premises which may be declared by the Lieutenant-Governor in Council to be subject to this Act;

Regulations."

(*i*) "Regulations" shall mean any regulations made under this Act;

"Superintendent."

(*j*) "Superintendent" shall mean the person who has for the time being the direct and actual superintendence and charge of a private hospital;

"Treatment."

(*k*) "Treatment" shall mean and include the stay, maintenance, observation, care, nursing and treatment of a patient.

Existing private hospitals.

3. The several private hospitals licensed under *The Hospitals and Charitable Institutions Act* shall for the purposes of this Act be deemed to have had their respective licenses renewed until the 30th day of September, 1932, subject however to the right of the Minister to revoke any such license and subject to payment of the fee for renewal of a license.

Regulations.

4. The Lieutenant-Governor in Council upon the recommendation of the Minister may make such regulations with respect to private hospitals as may be deemed necessary for:

(*a*) their construction, establishment, licensing, alteration, equipment, maintenance and repair;

(*b*) their classifications, grades and standards;

(*c*) their inspection, control, government, management, conduct, operation and use;

(*d*) their superintendents, staffs, officers, servants and employees and the powers and duties thereof;

(*e*) the admission, treatment, conduct, discipline and discharge of patients;

(*f*) the classification of patients;

(*g*) the records, books, accounting systems, audits, reports and returns to be made and kept; and

(*h*) all other matters affecting private hospitals.

Powers of Department.

5. It shall be the duty of the Department and it shall have power to administer and enforce the provisions of this Act and the regulations.

Inspectors

6. The Minister, with the approval of the Lieutenant-Governor in Council, may designate one or more officers of the Department to be inspectors for the purposes of this Act and the regulations, and the powers and duties of such inspectors shall be as prescribed by the regulations.

Powers of private hospitals.

7. Every private hospital shall have power to carry on its undertaking as may be authorized by any general or special Act under which it was created, established, incorporated or empowered so to do, but where the provisions of any general or special Act heretofore passed conflict with the provisions of this Act or the regulations the provisions of this Act and the regulations shall prevail.

License for hospital.

8.—(1) No house shall be used as a private hospital except under the authority of a license issued by the Minister under this Act.

Penalty.

(2) If any house is used as a private hospital in breach of this section the occupier and all persons concerned in the management of the house, or in the admission to or treatment of any patient therein, shall severally incur a penalty not exceeding $25 for every day during which such use is continued.

Application for license.

9.—(1) Every application for a license to keep a private hospital shall be made in writing to the Minister and shall contain the following particulars:

(*a*)

(*a*) the full name, place of abode and occupation of the applicant;

(*b*) a statement of the estate or interest of the applicant in the house in respect of which the license is desired;

(*c*) a statement of the number of patients proposed to be admitted in the house and in each room or apartment of the house;

(*d*) a description of the situation of the house;

(*e*) a plan of the house on a scale of not less than an eighth of an inch to the foot;

(*f*) a statement of the length, breadth and height of every room and apartment in the house, including operating and subsidiary rooms;

(*g*) a statement of the rooms or apartments to be used exclusively by patients, and of those to be used exclusively by the licensee or the superintendent or by persons other than patients;

(*h*) a statement of the sanitary arrangements, ventilation, heating and water supply of the house;

(*i*) a full description of the fire escapes of the house and the facilities provided for use in case of fire;

(*j*) a statement as to the classes of patients proposed to be admitted.

Verification of application.

Fee.

(2) Every such application shall be verified by the statutory declaration of the applicant and shall be accompanied by a fee of $15.

Approval.

10. No license shall be granted unless the house and its location with regard to adjoining dwelling houses are approved by an Inspector as suitable for the purposes indicated in the application, and the Minister is satisfied as to the character and fitness of the applicant.

Kinds of licensed private hospitals.

11.—(1) Every private hospital shall according to the tenor of the license issued in respect thereof be either:

Maternity.

(*a*) a licensed maternity hospital; or

Medical.

(*b*) a licensed medical and surgical hospital; or

Maternity and medical.

(*c*) a hospital licensed both as a maternity and as a medical and surgical hospital.

(2) Every license shall state the maximum number of patients who may be admitted in the hospital at any one time. Number of patients.

(3) A license may be limited to the admission of any particular class or classes of patients. Limitation of patients.

(4) Every license shall expire on the 30th day of September next following the date of its issue, but may be renewed in accordance with the regulations. Duration of license.

12. The fee for renewal of a license shall be $5. Annual fee.

13. When a license has been issued to two or more persons jointly, and during the currency thereof any of those persons dies leaving the other or others surviving, the license shall remain in force and have the same effect as if granted to the survivor or survivors. Condition of license notwithstanding death of one of joint licensees.

14. On the application in writing signed by the licensee and by any person to whom he desires that his license shall be transferred, the Minister may, by endorsement on the license or otherwise in writing, transfer the license to that person, and thereupon that person shall become the licensee of the private hospital with the same rights and obligations as if the license had been granted to him. Transfer of license upon application of licensee.

15.—(1) If the licensee or the sole surviving licensee dies the Minister may, by endorsement on the license or otherwise in writing, transfer the license to any person nominated by the executors or administrators of the deceased licensee, and that person shall thereupon become the licensee of the private hospital with the same rights and obligations as if the license had been granted to him. Transfer or revocation of license upon death of licensee.

(2) During the currency of a license and any renewal thereof and until the license is revoked under this Act the private hospital shall continue to be a licensed hospital, and the superintendent and other officers shall be deemed for the purposes of this Act to continue in office in the same manner as if the licensee were still living. Continuation of license until revoked.

(3) If the license is not transferred under the authority of this section within two months after the death of the licensee or of the sole surviving licensee the Minister may by writing under his hand revoke the license, and notice of the revocation shall be published in the *Ontario Gazette*. Revocation under such circumstances.

16.—(1) A license may at any time be revoked by the Minister, if,— Revocation of license.

(*a*)

Default in payment of license fee.

(*a*) the licensee has made default for three months in paying the annual license fee;

Conviction of offences against Act.

(*b*) the licensee or superintendent has been convicted of an offence against this Act or of any offence punishable by imprisonment; or

Premises unsanitary.

(*c*) in the opinion of an Inspector the hospital premises are unsanitary or without proper fire protection, or the private hospital is managed or conducted in such a manner that the revocation of the license is required in the public interest.

Notice to licensee.

(2) Before a license is revoked the Minister shall give notice to the licensee or superintendent of the ground on which it is proposed to revoke the license, and shall afford to him an opportunity of showing cause why the license should not be revoked.

Service of notice.

(3) Any such notice may be given to the licensee or superintendent, either personally or by leaving it at the hospital with an officer or employee thereof or by mailing the same by registered letter postage prepaid addressed to such licensee or superintendent at the hospital and the revocation shall be effected by writing under the hand of the Minister, and notice of the revocation shall be published in the *Ontario Gazette*.

Decision of Minister final.

(4) The decision of the Minister as to the revocation of a license shall be final and conclusive and shall not be questioned in any court or in any proceeding.

Approval by Inspector of structural alterations.

17.—(1) No structural alteration of or addition to any private hospital shall be made until a plan of the proposed alteration or addition has been given to and approved by an Inspector.

Penalty.

(2) If any alteration or addition is made in breach of this section the licensee shall incur a penalty not exceeding $100.

Superintendent of licensed hospital.

18.—(1) For every private hospital there shall, if required by the regulations, at all times be a superintendent resident on the premises who may be the licensee himself, if qualified under this section, and shall be either a legally qualified medical practitioner or a trained graduate nurse.

Inspector's approval.

(2) No person other than a licensee shall be appointed as the superintendent until his name and qualification have been notified to an Inspector and he has approved of the appointment.

(3) During the temporary absence, illness or incapacity of the superintendent the licensee may, without notice to the Inspector, appoint as acting superintendent any other person qualified in accordance with this section; and every person so appointed shall, while he so acts, be deemed for the purposes of this Act to be the superintendent, but he shall not so act, whether under the same or successive appointments, for a longer continuous period than four weeks. Acting superintendent.

(4) If at any time a private hospital is used as such while there is no duly qualified superintendent, or while the superintendent is not resident on the premises, the licensee shall incur a penalty not exceeding $25 for every day during which it is so used. Penalty.

(5) The Minister may, because of special circumstances and on such terms and conditions as he thinks fit, by warrant under his hand temporarily exempt any private hospital from the requirements of subsection 1. Exemption by Minister.

(6) Any exemption so granted may be withdrawn by him by notice under his hand and delivered to the licensee of the hospital. Withdrawal of exemption.

19.—(1) In every private hospital there shall be kept a register of patients in which shall be entered the following particulars: Register of patients.

(*a*) the name, age and usual place of abode of every patient, and date of his admission into the hospital; Name, etc., of patients.

(*b*) the name of the medical practitioner, if any, attending each patient; Name of medical practitioner.

(*c*) the date at which each patient leaves the hospital or, in the event of the death of a patient in the hospital, the date of his death; Date of patient's departure or death.

(*d*) such other particulars as may be prescribed by an Inspector. Other particulars.

(2) Such particulars shall be entered in the register as soon as practicable after the occurrence of the act or event to which the entry relates. Entry of particulars.

(3) Every person who knowingly makes in the register an untrue entry shall incur a penalty not exceeding $200. Penalties.

(4) Every licensee who fails to make or cause to be made any entry in the register required by this Act to be made therein shall incur a penalty not exceeding $50. Idem.

20.

Inspection by Inspector.

20. Every private hospital and the registers thereof shall at all times be open to inspection by an Inspector.

Power of Inspector to enter unlicensed premises.

21. If an Inspector believes or suspects that any house is used as a private hospital without being licensed he may at any time and from time to time by himself, or by any person authorized by him, enter and inspect such house and every part thereof; and any person who prevents or obstructs or attempts to prevent or obstruct any such entry or inspection shall incur a penalty not exceeding $200.

Penalty.

Use of licensed hospitals.

22.—(1) A private hospital shall not be used for any purpose other than the purposes in respect of which the license is granted and purposes reasonably incidental thereto.

Penalty.

(2) If a private hospital is used in any manner contrary to the provisions of this section the licensee and superintendent shall severally incur a penalty not exceeding $25 for every day during which it is so used.

Reception in licensed hospital of more than authorized number of patients.

23. If at any time a private hospital is used for the treatment of a greater number of patients than is permitted by the license, or for the admission of any patient of a class not authorized by the license, the licensee and the superintendent shall severally incur a penalty not exceeding $25 for every day during which it is so used.

Penalty.

Who to be deemed the occupier for certain purposes. Rev. Stat., c. 262.

24.—(1) The superintendent of a private hospital shall be deemed to be the occupier of the house for the purpose of giving notice under *The Public Health Act* of any patient found or suspected to be suffering from any communicable disease.

Idem.

(2) The superintendent of a private hospital shall be deemed to be the occupier thereof for the purpose of giving notice or information under *The Vital Statistics Act* of the death of any person or of the birth of any child in the hospital.

Rev. Stat., c. 78.

Penalties.

25. Any person who contravenes any of the provisions of this Act or of any regulation made thereunder where a penalty is not provided herein shall incur a penalty of not less than $5 and not exceeding $500, and all penalties provided for herein shall be recoverable under *The Summary Convictions Act.*

Rev. Stat., c. 121.

Burden of proof in prosecutions.

26.—(1) In any prosecution for an offence against this Act the burden of proving that any person residing in a house and there receiving medical treatment is not a patient within the meaning of this Act shall be upon the person charged.

(2) In any prosecution for an offence against this Act the burden of proving that a license is in force, and of proving its terms, and that any person apparently having the charge, control or management of a private hospital is not the superintendent thereof within the meaning of this Act shall be upon the person charged. Idem.

27. This Act shall come into force on the 1st day of October, 1931. Commencement of Act.

CHAPTER 78.

An Act respecting Public Hospitals and Hospitals for Incurables.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Public Hospitals Act, 1931*

Interpretation.

2. In this Act,—

"Board."

(*a*) "Board" shall mean a board of directors, governors, trustees, commission or other governing body or authority of a hospital;

"Dependant."

(*b*) "Dependant" shall mean and include a patient for the charges for whose treatment some other person is liable in law;

"Department."

(*c*) "Department" shall mean the Department of Health for Ontario;

"Hospital."

(*d*) "Hospital" shall mean and include any institution, building or other premises or place, howsoever created, established or incorporated for the treatment of persons suffering from sickness, disease or injury, or for the treatment of incurable persons;

"Incurable person."

(*e*) "Incurable person" shall mean any person afflicted with or suffering from any incurable disease, sickness, injury or other condition of a permanent nature requiring treatment;

"Inspector."

(*f*) "Inspector" shall mean an officer of the Department designated under this Act as an inspector;

"Minister."

(*g*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act;

(*h*)

(*h*) "Municipality" shall mean a city, separated town or county, except that in a territorial district it shall mean a city, town, village or township; "Municipality."

(*i*) "Patient" shall mean a person admitted to a hospital for the purpose of treatment; "Patient."

(*j*) "Provincial aid" shall mean aid granted to a hospital out of moneys appropriated for the purpose by the Legislature; "Provincial aid."

(*k*) "Regulations" shall mean any regulations made under this Act; "Regulations."

(*l*) "Resident" shall mean a person who has actually resided in a municipality for the period of three months within the five months next prior to admission to a hospital; "Resident."

(*m*) "Superintendent" shall mean the person who has for the time being the direct and actual superintendence and charge of a hospital; "Superintendent."

(*n*) "Territorial district" shall mean any of the territorial districts set forth in *The Territorial Division Act;* "Territorial district."

(*o*) "Treatment" shall mean and include the stay, maintenance, observation, care, nursing and treatment of a patient; "Treatment."

(*p*) "Unorganized territory" shall mean that part of a territorial district which is without municipal organization. "Unorganized territory."

3. Nothing in this Act contained shall in any way relate to or affect a sanatorium under *The Sanatoria for Consumptives Act, 1931*, or a private hospital under *The Private Hospitals Act, 1931*. Sanatoria and private hospitals not affected. 1931, cc. 76, 77.

4.—(1) The several institutions which under *The Hospitals and Charitable Institutions Act* as public hospitals or homes for incurables received aid for the year 1930 from the Province shall for the purposes of this Act and the regulations be deemed to be hospitals approved under this Act. Hospitals aided in 1930 approved.

(2) No institution, building or other premises or place shall hereafter be created, established or incorporated as a hospital until the same has been approved by the Lieutenant-Governor in Council. New hospitals to be approved.

(3) No institution, building or other premises or place shall be operated or used as a hospital unless and until the same is approved by the Lieutenant-Governor in Council. Hospitals not to operate without approval.

Suspension or revocation of approval.

(4) Any approval given or deemed to have been given under this Act in respect to any hospital may be suspended by the Minister or revoked by the Lieutenant-Governor in Council.

Regulations for hospitals.

5. The Lieutenant-Governor in Council upon the recommendation of the Minister, may make such regulations with respect to hospitals as may be deemed necessary for,—

Creation, construction, etc.

(*a*) their creation, establishment, construction, alteration, equipment, maintenance and repair;

Classification, etc.

(*b*) their classification, grades and standards;

Inspection, etc.

(*c*) their inspection, control, government, management, conduct, operation and use;

Staffs, etc.

(*d*) their superintendents, staffs, officers, servants and employees, and the powers and duties thereof;

Patients, etc.

(*e*) the admission, treatment, conduct, discipline and discharge of patients;

Rates, etc.

(*f*) the classification and lengths of stay of and rates and charges for patients;

Accounting, etc.

(*g*) the records, books, accounting systems, audits, reports and returns to be made and kept by hospitals;

Provincial aid.

(*h*) the distribution, payment, withholding and restoration of and other matters affecting provincial aid;

Miscellaneous.

(*i*) all other matters affecting hospitals.

Enforcement of Act.

6. It shall be the duty of the Department and it shall have power to administer and enforce the provisions of this Act and the regulations. And the Department may, from time to time, declare all or any of the regulations to be in force with respect to all hospitals or any specified hospital or hospitals and for such time or times as the Department may deem expedient.

Inspectors.

7. The Minister, with the approval of the Lieutenant-Governor in Council, may designate one or more officers of the Department to be inspectors for the purposes of this Act and the regulations, and the powers and duties of such inspectors shall be as prescribed by the regulations.

Hospital powers and their exercise.

8. Every hospital shall have power to carry on its undertaking as may be authorized by any general or special Act under which it was created, established, incorporated or

empowered

empowered so to do, but where the provisions of any general or special Act heretofore passed conflict with the provisions of this Act or the regulations the provisions of this Act and the regulations shall prevail.

Expropriation powers.

9. The board of a hospital may with the approval of the Lieutenant-Governor in Council pass by-laws for expropriating any land adjacent to or in the vicinity of such hospital which may be requisite for or advantageous to any of its purposes, and in that behalf may exercise the powers of expropriation conferred on a municipality under *The Municipal Act*, the provisions of which relating thereto shall, *mutatis mutandis*, apply to and govern the exercise of such powers, so far as the same are applicable or necessary thereto, and the superintendent in such case to exercise the powers and perform the duties which under the said Act are to be exercised and performed by the clerk of the municipality.

By-laws, etc., to be approved

10. No by-law, rule or regulation of any hospital shall have force or effect until the same is approved by the Lieutenant-Governor in Council.

Medical students' clinics.

11. Subject to the provisions of any existing agreement relating thereto, every hospital, other than a hospital for incurables, receiving provincial aid under this Act shall provide such reasonable facilities for giving instruction to medical students of any university as may be required by the regulations.

Hospitals to admit sick persons.

12. Except as may be otherwise provided in this Act, no hospital other than a hospital for incurables, receiving provincial aid shall refuse to admit as a patient any person who from sickness, disease or injury or otherwise is in need of treatment, and no hospital for incurables receiving such aid shall refuse to admit as a patient any incurable person so certified in accordance with the regulations.

Admission of indigents under agreement.

13. Except as may otherwise be provided in this Act or in the agreement, no hospital with which a municipality has entered into an agreement under this Act shall refuse to admit as a patient any indigent person or dependant of an indigent person a resident in such municipality, who from sickness, disease or injury or otherwise is in need of treatment.

Refusal of communicable disease cases

14. Nothing in this Act contained shall require that any hospital, other than an isolation hospital, admit or retain as a patient any person suffering from a communicable disease which under *The Public Health Act* or regulations made thereunder requires quarantine and placarding.

Refusal of non-residents.

15. Nothing in this Act contained shall, unless by refusal of admission life would thereby be endangered, require that any hospital admit as a patient any person who is not a resident or a dependant of a resident of Ontario.

Admission of incurable persons.

16. No hospital for incurables shall admit as a patient an indigent person or the dependant of an indigent person for the charges for whose treatment a municipality may be liable under this Act, until such person or dependant is certified in accordance with the regulations to be an incurable person.

Employers' liability.

17.—(1) Every employer of labour having more than ten persons in his employ and having a contract for the medical and surgical care of his employees shall be liable for the treatment of any of such employees admitted as a patient in a hospital at such rate and for such length of stay and subject to such conditions and limitations as the regulations may prescribe.

Rev. Stat., c. 179.

(2) Nothing in this section contained shall extend, apply to or affect the furnishing of medical aid to which employees are entitled under *The Workmen's Compensation Act.*

Municipal liability for indigents.

18.—(1) Subject as in this Act may otherwise be provided, when any patient in a hospital is an indigent person or a dependant of an indigent person, that municipality in which such person was a resident at the time of admission shall be liable to the hospital for payment of the charges for treatment of such patient at a rate not exceeding $1.75 per day.

Relief of certain municipalities.

(2) Where in the opinion of the Minister liability under this section would in any year unduly burden any municipality in a territorial district, other than a city, the Lieutenant-Governor in Council upon the recommendation of the Minister may make special grants by way of provincial aid to relieve in whole or in part such municipality from the burden.

Municipal agreements as to indigents.

19. With the approval of the Minister, a municipality may enter into an annual agreement with a hospital respecting the admission and treatment of all indigent persons and dependants of indigent persons residents in such municipality, and in such case the liability of the municipality to such hospital shall be determined according to such agreement in lieu of under this Act.

Liability for non-residents may be assumed.

20. A municipality may pay to a hospital the charges for treatment of a patient notwithstanding that such patient was not a resident in such municipality at the time of admission to such hospital.

Burial expenses.

21.—(1) In the event of the death in a hospital of any patient who is an indigent person or a dependant of an indigent person, that municipality in which such indigent person was a

resident

resident at the time of admission shall pay to the hospital any expenses of burial which it may incur, but not exceeding $30.

Contribution to Last Post Fund.

(2) If such deceased patient was a member of His Majesty's Military or Naval Forces in active service during the Great War, 1914-1918, and the burial was provided by and paid for from The Last Post Fund, the said municipality shall pay the expenses of such burial, but not exceeding the sum of $30 to The Last Post Fund upon proof of such burial and demand for payment made by a properly accredited officer of the said fund.

Notice of admission to municipality.

22. Upon admission or after admission to a hospital of any patient who is or is represented to be or becomes an indigent person or the dependant of an indigent person the superintendent shall by registered letter notify the clerk of the municipality in which such indigent person is or is represented to be a resident, of such admission, giving such particulars as may be ascertainable to enable the clerk to identify the indigent person.

Notice disputing liability.

23. Unless the clerk of a municipality within twenty days after the date of mailing any such notice to him, shall by registered letter notify the superintendent from whom such notice was received that the patient referred to therein was not a resident in the municipality at the time of admission as a patient or is not an indigent person or a dependant of an indigent person, such municipality shall be liable for the charges for treatment of such patient as provided for in this Act.

Information to be furnished.

24. The clerk of a municipality when notifying a superintendent that a patient is not a resident in the municipality or is not an indigent person or a dependant of an indigent person, shall furnish such information as he may have ascertained with respect to such patient.

Cases where residence not presumed.

25. For the purpose of this Act, no patient shall be deemed to be a resident in a municipality,—

Persons seeking medical aid.

(*a*) by reason of having gone to the municipality for the purpose of seeking medical advice or treatment or seeking admission or treatment in a hospital in such municipality; or

Health seekers in the districts.

(*b*) if the municipality is in a territorial district, and such patient being infected or likely or suspected of being infected with tuberculosis has gone to such municipality principally for the purpose of health and within one year after going to such municipality is admitted a patient in a hospital,

but

but in such cases the patient shall for the purpose of this Act be deemed to be a resident in that municipality in which he was a resident at the time of going to a municipality in a territorial district; or

Pupils.

(*c*) if such patient has been living in the municipality by reason of being a pupil in any school, college, university, or other seminary of learning therein and at the time he became such a pupil was not a resident therein; but in such cases the patient shall for the purpose of this Act be deemed to be a resident in that municipality in which he was a resident at the time he became such a pupil; or

Institutional inmates.

(*d*) by reason of having been a patient or an inmate of a hospital, sanatorium, house of refuge, orphanage, children's shelter or child welfare institution, gaol, reformatory, prison or other public institution in the municipality and otherwise was not a resident therein; but in such cases the patient shall for the purpose of this Act be deemed to be a resident in that municipality in which he was a resident at the time he became such an inmate or patient.

County's right to contribution.

26.—(1) Where the corporation of a county has not made an agreement under the provisions of section 19, it shall have the right to recover not exceeding one-half of the charges paid by it in respect to treatment in a hospital of any patient for which it is liable under this Act from the corporation of the township, town or village forming a part of the county in which such patient was a resident at the time of admission.

Admissions on order of M.O.H. in certain cases.

(2) Except in cases of emergency, as to which the superintendent of the hospital shall be the sole judge no indigent person or dependant of an indigent person resident in a township bordering on a city or separated town shall be admitted as a patient in a hospital in such city or separated town without an order in writing signed by the medical officer of health of such township, and where in case of emergency an indigent person or a dependant of an indigent person is admitted as a patient without such an order liability for charges for treatment of such patient shall not continue beyond a period of seven days from the admission unless the order is obtained by the hospital.

Residence of dependant.

27. A dependant of an indigent person shall for the purpose of this Act be deemed to be a resident in that municipality in which such indigent person is resident.

Incurable persons in hospitals.

28. When a patient in a hospital other than a hospital for incurables for the charges for whose treatment a muni-

cipality

cipality is liable under this Act, is certified in accordance with the regulations to be an incurable person the hospital may require of the municipality liable that such patient be removed from the hospital within seven days after notice has been given by registered letter to the clerk thereof, and failing which removal the hospital shall be entitled to charge the municipality liable, 25 cents per day in addition to any other charges provided to be paid under this Act while such patient remains in the hospital.

Babies born in hospital.

29. When a baby is born in a hospital it shall for the purposes of this Act be deemed to be a patient and if the baby of an indigent person shall be deemed to be a resident in that municipality in which such indigent person is a resident; and the municipality shall be liable for the treatment of a baby as the dependant of an indigent person at a rate of 90 cents per day for a period not exceeding fourteen days after the birth of such baby.

Statements of account to be rendered.

30. When under this Act the charges for treatment of any patient or for burial expenses of a deceased patient are payable by a municipality the hospital to which such patient was admitted shall from time to time render to the clerk of the municipality statements of account o fany such charges with full particulars thereof and if the amount of any such account is not paid within a reasonable time after the same has been rendered it may be recovered as a debt in any court of competent jurisdiction.

Municipal right of recourse against patient.

31. Upon payment by a municipality of any account rendered to it by a hospital for treatment of a patient or on payment by it of any expenses of burial of a deceased patient, such municipality may recover from the patient, or, in the event of his decease, from his estate or personal representatives, or, in the case of a dependant, from any person liable in law in respect to such dependant, the amount of the payment so made, and the same may be recovered as a debt in any court of competent jurisdiction.

Municipal right of recourse against proper municipality.

32. Upon payment by a municipality to a hospital of any account for treatment of a patient or upon payment of any expense of burial of a deceased patient by reason of such patient having been assumed to be a resident in such municipality and it being ascertained that such patient was not a resident therein but at the time of admission to the hospital was a resident in another municipality in Ontario, the municipality which made the said payment may recover the amount thereof as a debt from the municipality in which such patient was a resident and upon payment by that municipality it shall be entitled to exercise the rights of recovery conferred under section 31.

Workmen's Compensation Board cases, etc.

33. Nothing in this Act contained shall render a municipality liable for payment of the charges for treatment of a patient where such charges are payable by the Workmen's Compensation Board or an employer under *The Workmen's Compensation Act* or by an employer under section 17 of this Act.

Rev. Stat., c. 179.

Provincial aid.

34.—(1) Subject to the provisions of this Act and of the regulations, provincial aid shall be distributed and may be paid out of any moneys appropriated for such purpose by the Legislature, as follows:

Initial indigent rate of aid.

(*a*) For treatment of every patient who is an indigent person or the dependant of an indigent person, other than a baby, as in paragraph (*b*) mentioned, at the rate of sixty cents per day for every day up to one hundred and twenty days that such patient is receiving treatment in a hospital.

Baby rate of aid.

(*b*) For treatment of every patient who is a baby of an indigent person born in a hospital at the rate of thirty cents per day for every day up to fourteen days after birth that such patient is receiving treatment in a hospital.

Secondary indigent rate of aid.

(*c*) For treatment of every patient mentioned in paragraph (*a*) of this section at the rate of ten cents per day for every day in excess of one hunded and twenty days that such patient is receiving treatment in a hospital.

Indigent rate of aid for unorganized territory.

(*d*) For treatment of every patient who is an indigent person or the dependant of an indigent person and who has actually resided in unorganized territory for the period of three months within the five months next prior to admission to a hospital at the rate of two dollars per day for every day that such patient is receiving treatment in the hospital.

Incurable persons' rate of aid.

(*e*) For treatment of every incurable person admitted as a patient in a hospital for incurables at the rate of sixty cents per day for every day that such incurable person is receiving treatment in such hospital.

(2) In calculating the amount of provincial aid the day of departure of a patient or incurable person shall not be included.

Limitation as to patients subject of aid.

35. Except as otherwise provided in this Act, no provincial aid shall be granted to any hospital in respect of a patient therein, if the charges received by the hospital in

respect

respect to such patient exceed $1.75 per day from all sources other than provincial aid.

Maximum aid not to exceed municipal aid.

36. Unless the Lieutenant-Governor in Council otherwise directs the provincial aid which may be granted in any year to a hospital established elsewhere than in a territorial district shall not exceed the total of all amounts received by such hospital in that year from municipalities under the provisions of this Act.

No aid where hospital self-sustaining.

37. No provincial aid shall be granted to a hospital for any year in which the revenues of such hospital are equal to or exceed the expenditures for operation and maintenance of the hospital, unless the Lieutenant-Governor in Council otherwise directs.

No aid while approval revoked, etc.

38. No provincial aid shall be granted to any hospital the approval of which has been revoked or suspended, or to any hospital which does not comply with the provisions of this Act and the regulations.

Restoration of aid.

39. When from any cause provincial aid to any hospital has not been granted or the grant thereof has been withdrawn or withheld, the Lieutenant-Governor in Council may upon the recommendation of the Minister direct that such aid be granted or restored in whole or in part, but not until the approval of such hospital has been revived or until compliance with the provisions of this Act or the regulations is made, as the case may be.

GENERAL.

Penalties.

40. Any person who contravenes or is a party to the contravention, directly or indirectly, of any provision of this Act or the regulations shall incur a penalty of not less than $5 and not exceeding $500, recoverable under *The Summary Convictions Act.*

Repeal.

41. *The Hospitals and Charitable Institutions Act*, being chapter 359 of the Revised Statutes of Ontario, 1927, *The Hospitals and Charitable Institutions Act, 1928* and section 18 of chapter 21 of the Statutes of 1929, are repealed.

Commencement of Act.

42. This Act shall come into force on the 1st day of October, 1931.

CHAPTER

CHAPTER 79.

An Act respecting Charitable Institutions.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Charitable Institutions Act, 1931.*

Interpretation.

2. In this Act,—

"Charitable institution."

(*a*) "Charitable institution" shall mean and include a refuge, orphanage or infants' home to which provincial aid is granted;

"Department."

(*b*) "Department" shall mean the Department over which the Minister has charge;

"Inspector."

(*c*) "Inspector" shall mean an officer of the Department designated under this Act as an inspector;

"Minister."

(*d*) "Minister" shall mean the member of the Executive Council charged for the time being with the administration of this Act;

"Provincial aid."

(*e*) 'Provincial aid" shall mean aid granted to a charitable institution out of moneys appropriated for the purpose by the Legislature;

"Regulations."

(*f*) "Regulations" shall mean any regulations made under this Act.

Act not to apply to certain institutions.

3. Nothing in this Act contained shall relate to or affect a hospital, private hospital or sanatorium under *The Public Hospitals Act, 1931*, *The Private Hospitals Act, 1931* or *The Sanatoria for Consumptives Act, 1931*, or a house of refuge or a district house of refuge under *The Houses of Refuge Act* or *The District Houses of Refuge Act.*

Institutions aided for 1930 approved

4.—(1) The several refuges, orphanages and infants' homes which under *The Hospitals and Charitable Institutions*

Act

Act received aid for the year 1930 from the Province shall for the purposes of this Act and the regulations be deemed to be charitable institutions approved under this Act.

Approval of new institutions.

(2) No institution building or other premises or place shall hereafter be created, established or incorporated as a refuge, orphanage or infants' home until the same has been approved by the Lieutenant-Governor in Council as a charitable institution.

Operation of institutions to be approved.

(3) No institution building or other premises or place shall be operated or used as a refuge, orphanage or infants' home unless and until the same is approved by the Lieutenant-Governor in Council as a charitable institution.

Suspension or revocation of approval.

(4) Any approval given or deemed to have been given under this Act in respect to any charitable institution may be suspended by the Minister or revoked by the Lieutenant-Governor in Council.

Regulations.

5. The Lieutenant-Governor in Council upon the recommendation of the Minister may make such regulations in respect to charitable institutions as may be deemed necessary for,—

Creation, operation, etc.

(*a*) their creation, establishment, incorporation, operation, functions, objects and pursuits;

Inspection, management, etc.

(*b*) their inspection, control, government, management, conduct and administration;

Construction, repair, etc.

(*c*) the construction, alteration, equipment, maintenance and repair of any buildings or premises owned, operated or used by charitable institutions;

Classification, etc.

(*d*) their classification, grades and standards;

Staffs, etc.

(*e*) their officers, staffs, servants, employees and agents and the powers and duties thereof;

Admission of, etc., inmates.

(*f*) the admission, treatment, conduct, discipline and discharge of inmates of charitable institutions;

Rates, etc., for inmates.

(*g*) the classification and lengths of stay of and rates and charges for inmates of charitable institutions;

Revenues and expenditures.

(*h*) the funds, revenues and expenditures of charitable institutions and the obtaining, procuring and application of such funds and revenues;

Accounting, etc.

(*i*) the records, books, accounting systems, audits, reports and returns to be made and kept by charitable institutions;

Provincial aid.

(*j*) the distribution, payment, withholding and restoration of and other matters affecting provincial aid and

General.

(*k*) all other matters affecting charitable institutions.

Powers of Department.

6. It shall be the duty of the Department and it shall have power to administer and enforce the provisions of this Act and the regulations. And the Department may, from time to time, declare any or all of the regulations to be in force with respect to all charitable institutions or any specified charitable institution or institutions or class or classes thereof and for such time or times as the Department may deem expedient.

Inspectors.

7. The Minister with the approval of the Lieutenant-Governor in Council may designate one or more officers of the Department to be inspectors for the purposes of this Act and the regulations, and the powers and duties of such inspectors shall be as prescribed by the regulations.

Powers of institution.

8. Every charitable institution shall have power to carry on its undertaking, objects and pursuits as may be authorized by law or by any general or special Act under which it was created, established, incorporated or is empowered so to do, but where any such law of Ontario or any such general or special Act conflicts with the provisions of this Act or the regulations the provisions of this Act and the regulations shall prevail.

Approval of by-laws, etc.

9. No by-law, rule or regulation of any charitable institution receiving provincial aid shall have force or effect until the same is approved by the Lieutenant-Governor in Council.

Distribution of provincial aid.

10.—(1) Subject to the provisions of this Act and of the regulations provincial aid shall be distributed and may be paid out of any moneys appropriated for such purpose by the Legislature, to any charitable institution on the list of institutions entitled to receive provincial aid, as follows:

Refuges.

(*a*) For every indigent person an inmate of a refuge, ten cents per day for each day's actual maintenance of such inmate during the preceding calendar year.

(*b*) For every infant or child an inmate of an orphanage or infants' home, if such infant or child is an orphan or neglected or abandoned or the infant or child of an indigent person, five cents per day for each day's actual maintenance of such inmate during the preceding calendar year, and if any such inmate is an infant under one year of age and is being nursed by its mother in such institution, ten cents per day for each day's actual maintenance of such inmate. Orphanages, etc.

(*c*) For every adult, friendless and indigent female person an inmate of any such refuge, orphanage or infant's home, ten cents per day for each day's actual maintenance of such inmate during the preceding calendar year. Female refuges.

(2) In calculating the amount of provincial aid the day of departure of an inmate of a charitable institution shall not be counted.

11. No provincial aid shall be granted to a charitable institution for any year in which the revenues thereof are equal to or exceed the expenditures for operation and maintenance of the institution, unless the Lieutenant-Governor in Council otherwise directs. No aid for self-sustaining institutions.

12. No provincial aid shall be granted to any charitable institution the approval of which has been revoked or suspended or to any such institution which does not comply with the provisions of this Act and the regulations. Withdrawal of aid.

13. When from any cause provincial aid to any charitable institution has not been granted or the grant thereof has been withheld or withdrawn, the Lieutenant-Governor in Council may upon the recommendation of the Minister direct that such aid be granted or restored in whole or in part, but not until the approval of such charitable institution has been received or until compliance with the provisions of this Act and the regulations is made, as the case may be. Restoration of aid.

14. Any person who contravenes or is a party to the contravention, directly or indirectly, of any provision of this Act or the regulations shall incur a penalty of not less than $5 and not exceeding $500, recoverable under *The Summary Convictions Act*. Penalty. Rev. Stat., c. 121.

15. This Act shall come into force on the 1st day of October, 1931. Commencement of Act

CHAPTER

CHAPTER 80.

An Act respecting Inspection of Public Institutions.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Public Institutions Inspection Act, 1931.*

Interpretation.

2. In this Act,—

"Mental Hospital."

(*a*) "Mental Hospital" shall mean and include an Ontario hospital established under *The Hospitals for the Insane Act*, the Ontario Hospital, Woodstock, established under *The Ontario Hospital, Woodstock, Act*, a private sanitarium established under *The Private Sanitarium Act*, a psychiatric hospital, established under *The Psychiatric Hospitals Act*, and any other hospital, sanitarium or other institution for mental cases or insane persons in respect to which by any general or special Act this Act may be made applicable.

"Minister."

(*b*) "Minister" shall in respect to penal and reformative institutions mean the Provincial Secretary and in respect to mental hospitals shall mean the Minister of Health.

"Penal and reformative institution."

(*c*) "Penal and Reformative institution" shall mean and include a reformatory established under *The Reformatory Act*, The Andrew Mercer Reformatory established under *The Andrew Mercer Reformatory Act*, an industrial refuge established under *The Female Refuges Act*, an industrial farm established under *The Industrial Farms Act*, a gaol or lock-up established under *The Municipal Act* or under *The Gaols Act* and any other prison, reformatory, industrial farm, gaol, or other institution or place for confinement or detention of prisoners and other

persons

persons charged with or convicted of any offence against the laws of Canada or Ontario, in respect to which by any general or special Act of Canada or Ontario this Act may be made applicable.

(*d*) "Regulations" shall mean regulations made under this Act. "Regulations."

3. The regulations heretofore made governing or relating to mental hospitals and penal and reformative institutions are confirmed and shall continue in force until altered or repealed by regulations made under this Act or any other Act. Present regulations continued.

4. The Lieutenant-Governor in Council may appoint inspectors of mental hospitals and of penal and reformative institutions with such designations or titles as he may deem expedient. Appointment of inspectors.

5.—(1) Where an inspector is authorized by the Minister to institute an inquiry into the management or affairs of any mental hospital or penal or reformative institution, as the case may be, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the inspector shall have the same power to summon such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as any court has in civil cases. Special enquiry by inspector.

(2) An inspector appointed under any other Act the administration of which is under the charge of the Provincial Secretary or the Minister of Health may when authorized by the Provincial Secretary or the Minister of Health, as the case may be, exercise the powers conferred by subsection 1 in respect to any hospital or other institution subject to such other Act.

6. The Lieutenant-Governor in Council may make regulations in respect to mental hospitals and penal and reformative institutions as may be deemed necessary for,— Regulations.

(*a*) the powers and duties of inspectors appointed under the authority of this Act;

(*b*) their inspection, superintendence, government, management, conduct, operation, maintenance, care and use;

(*c*) their superintendents, officers, staffs, servants, and employees, and the powers and duties thereof;

(*d*)

(*d*) the admission, care, treatment, maintenance, conduct, discipline, punishment, transfer and discharge of patients in mental hospitals and prisoners, inmates and other persons confined or detained in penal and reformative institutions;

(*e*) their records, books, accounting systems, audits, reports and returns to be made and kept; and

(*f*) generally, all other matters in any way relating to mental hospitals and penal and reformative institutions.

Municipal regulations for gaols.

7. No by-law, rule or regulation of a municipality relating to a gaol or lock-up established or maintained by it shall have force or take effect until approved by the Provincial Secretary.

Application of gaol regulations to court houses.

8. The provisions of the regulations as to the inspection of penal and reformative institutions and the provisions of *The Gaols Act* as to the construction and repair of gaols shall, so far as may be, apply to court houses and lock-ups.

Limitation of actions, etc.

9. All actions and prosecutions against any person for anything done in pursuance of this Act shall be commenced within six months after the fact committed and not afterwards.

Designation of departmental officer.

10. The Minister may from time to time designate the officer or officers of his department who subject to his direction shall exercise the powers and duties conferred by statute or by the Lieutenant-Governor in Council upon the department or any officer or officers thereof or upon any officer of any other department in respect to any statute the administration of which is for the time being under the charge or assigned to the Minister and his department.

Powers of designated officer for transfers of prisoners, patients, etc.

11.—(1) Notwithstanding anything in this or any other Act contained, the Minister may designate the officer of his department who shall control and direct all admissions to penal and reformative institutions and who may, if permitted by law, from time to time remove or transfer any prisoner, inmate or other person confined or detained therein from any said institution to any other said institution.

(2) Notwithstanding anything in this or any other Act contained the Minister may designate the officer of his department who shall control and direct all admissions to mental hospitals and who may, if permitted by law, from time to time remove or transfer any inmate or other person confined or detained therein from one mental hospital to another.

(3) Removals or transfers from a penal or reformative institution to a mental hospital, or *vice versa*, may, if permitted by law, be made in accordance with the regulations.

Transfers to public hospitals.

(4) Where the Superintendent of a penal or reformative institution or mental hospital reports to the officer of the said respective departments that any prisoner, inmate or other person confined or detained in any of said institutions requires hospital treatment which cannot be supplied therein, such officer shall, if otherwise permitted by law, have authority to transfer the prisoner, inmate or other such person to a public hospital for treatment, which cannot be supplied in the institution. The Superintendent or head shall report, in writing if possible, to the officer designated by the Minister who shall have authority to remove or transfer such prisoner, inmate or other person to any public hospital for treatment.

Charges for public hospital treatment.

(5) The charges for such hospital treatment shall be paid by such prisoner, inmate or other person unless he is an indigent person in which case the charges shall be payable in the same manner as charges for indigent patients are payable under *The Public Hospitals Act, 1931.*

Removal of convalescent patients.

12. The officer designated by the Minister under section 10 may upon the report of an inspector direct that any person who is an inmate of a mental hospital and who appears to be sufficiently recovered to be cared for by his friends or whose mental condition is due to senility and his conduct is recorded as quiet and harmless and is a proper subject for care in a House of Refuge may direct that such patient be removed from the mental hospital and placed in the care of his friends or in a House of Refuge in the county in which he was a resident at the time of admission to the mental hospital, as the case may be, and in the latter case the Board of Management and Superintendent of such House of Refuge shall admit such person and maintain him therein.

Rev. Stat., c. 361, repealed.

13. *The Prisons and Public Charities Inspection Act*, being chapter 361 of the Revised Statutes of Ontario, 1927, is repealed.

Commencement of Act.

14. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 81.

An Act respecting the Town of Alliston.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Alliston has by its petition represented that its by-laws numbers 456, 457 and 466 and the debentures to be issued thereunder should be confirmed and has prayed for special legislation in regard to the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Alliston Act, 1931.*

By-laws Nos. 456, 457 and 466 and debentures confirmed.

2. By-law number 456 of the corporation of the town of Alliston to provide for borrowing $93,000 upon debentures to pay for the cost of a sewer system for the said town, by-law number 457 of the said corporation to provide for borrowing $24,000 upon debentures to pay for the cost of a sewage disposal plant for the said town and by-law number 466 of the said corporation to provide for borrowing $123,000 upon debentures to pay for the cost of construction of concrete pavements in the said town, and all debentures issued or to be issued under the authority of said by-laws or any of them are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat., c. 235, s. 21, not to apply.

3. Notwithstanding the provisions of *The Local Improvement Act*, any contribution in cash or by way of annuity received by the said corporation to be applied towards the cost of the said pavements, or any of them, shall be applied only in respect of the portion of such cost which is to be borne and paid by the said corporation.

Irregularities not to invalidate.

4. No irregularity in the form of any debentures issued or to be issued under the authority of this Act or of any by-law authorizing the issue thereof shall render the same invalid or

illegal

illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing such debentures or into any of the proceedings in connection therewith or as to the application of the proceeds of such debentures.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 82.

An Act respecting the Town of Almonte.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Almonte has by petition represented that it is desirable in the interests of public health to have sanitary conveniences installed in all residences and places of business and other premises in the said town; and whereas, the council of the said corporation desires to have power to enter into agreements with the owners of such premises to have sanitary conveniences installed by the said corporation and to enable it to advance the necessary moneys for such works and to charge the cost thereof with interest thereon against the lands of said owners and to provide for the collection of same in instalments in the same manner as taxes; and also to enable the said corporation to borrow money by the issue of debentures to provide funds for the purpose of meeting the cost of such works; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Almonte Act, 1931.*

By-law for installation of sanitary conveniences.

2. The council of the corporation of the town of Almonte may pass a by-law in the form of the by-law in schedule "A" to this Act, and such by-law as and when passed, is declared to be legal, valid and binding.

Issue of debentures for cost of sanitary conveniences.

3. The said corporation may pass by-laws for the issue of debentures for such term of years not exceeding ten years from the date of the issue thereof and at such rate of interest as the council of the said corporation may determine, to pay for the cost of all works undertaken under a by-law passed under section 2, and, except that it shall not be necessary that any by-law passed for the issue of such debentures be submitted to or receive the assent of the electors of the said town qualified to vote on money by-laws, all other provisions of *The Municipal Act* which are applicable, and which are

Rev. Stat., c. 233.

not

not inconsistent with the provisions of this Act, shall apply to the said by-laws and any debentures issued thereunder, and all by-laws so passed and all debentures so issued shall be valid and binding upon the said corporation and the ratepayers thereof.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

THE CORPORATION OF THE TOWN OF ALMONTE

BY-LAW No.

A By-law respecting the installation of sanitary conveniences, including drains connecting same with sewers.

Whereas it is desirable to provide for the installation of sanitary conveniences in buildings in the town of Almonte and to provide for the payment of the cost of the same.

Be it therefore enacted by the Municipal Council of the Corporation of the Town of Almonte as follows:—

1. Any owner desiring to install in his premises situate in the town of Almonte, sanitary conveniences with the necessary drain or drains to connect such sanitary conveniences with the town's sewers, may file a written application therefor on a form to be prescribed by the council, which application shall describe the works desired to be done, the premises in or on which said works are to be done, the plumbing fixtures desired to be installed, and the drains to be excavated and laid, and the owner shall also sign a form of agreement to be prescribed by the said council covering the said works.

2. The owner in his said application shall state whether he desires to pay for the cost of said sanitary conveniences including the installation thereof and all work in connection therewith in advance or by deferred payment, in which latter case the cost of same with interest at the rate of six per cent. per annum on the deferred payments shall be paid by a special assessment charged against the owner's lands in equal successive annual payments extending over a period of ten years.

3. If the owner desires to pay for the cost of said works in advance he shall deposit the cost as estimated by the engineer of the corporation, with its treasurer, and if upon completion of the said works it shall be found that the deposit made for the purpose is less than the actual cost, the owner shall forthwith pay the balance of said cost with interest at six per cent. per annum from the date of completion (of which date the certificate of the said engineer shall be final) and such balance with interest shall remain a charge on the said lands until paid, and if the deposit paid is more than sufficient to meet the cost of said works the unused portion of said deposit shall be refunded by the treasurer to the owner.

4. The application for said works when received by the clerk of the corporation shall be referred to the engineer for approval after inspecting the premises and shall be confirmed by the council after which confirmation the works shall be proceeded with by the corporation as soon as conveniently may be thereafter.

5. The council may prepare or cause to be prepared specifications for any of the said works.

6. The council in order to carry out the said works may, after the application referred to in section 1 has been confirmed, or after specifications referred to in section 5 have been prepared, in such manner as it may deem necessary, call for tenders for the execution of said works either in bulk or separately for each class of work and may accept any tender or tenders received and contracts may thereupon be entered into for execution of the said works or any part thereof. The engineer, if so instructed by the council, may tender on all or any class of such works and if his tender be accepted the work shall be performed by him on behalf of the corporation in accordance with this by-law.

7. Upon the completion of any of the works authorized under this by-law the engineer shall prepare and submit to the council a statement of the cost thereof and of the amount chargeable against any premises for which the same have been incurred, and when such statement is approved a copy thereof shall be furnished by the clerk to the owner against whose lands the same are chargeable.

8. In the event of the cost of any of said works not being paid in advance by the owner or in so far as such advance payment shall not cover the whole cost thereof, payment of the cost or of the unpaid balance thereof shall with interest thereon at the rate of six per centum per annum be made by the owner for whom the work was executed in ten equal annual combined instalments of principal and interest and for securing and enforcing payment of which there is hereby imposed annually during the period of ten years upon the lands for or in respect of which the work was executed a special rate of an amount equal to the annual combined instalment of principal and interest so payable as aforesaid which shall be added to the collector's roll for taxes and be collected at the same time and in the same manner as other municipal taxes.

9. All works executed under or in pursuance to this by-law shall be executed under the direct supervision of the engineer, and to the satisfaction of the local board of health for said town.

10. For construction of any of said works, the treasurer shall pay out of any funds that may be provided by the council for the purpose, the amount of all progress and final certificates or other payments authorized upon the certificate of the engineer approved by the council.

11. The treasurer shall keep proper books of account with reference to all such works, showing the premises improved, the name or names of owners, the cost of each of such work, and all other necessary information.

Passed this day of A.D. 19 .

CHAPTER 83.

An Act respecting the Township of Ancaster.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Ancaster has by its petition prayed for special legislation to authorize the establishment of water areas and sewer areas in defined portions of the township, and the construction of waterworks systems and sewerage systems and sewage disposal works to serve such areas and to provide for the assessment of the cost of said works, and the issue of debentures to meet the cost thereof, and to authorize agreements with other municipalities respecting joint sewage disposal works and joint use of sewer and joint waterworks and water supply systems; and whereas it is expedient to grant the prayer of the said petition:

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Ancaster Act, 1931.*

Creation of water and sewer areas and construction of works.

2. The council of the corporation of the township of Ancaster may from time to time pass by-laws to set apart and establish as a water area or as a sewer area any portion of the township described in such by-law, to construct, enlarge, extend, improve and operate waterworks systems within or outside of any water area or areas to serve such water area or one or more water areas or lands situate therein and to construct, enlarge, extend, improve and operate sewerage systems and sewage disposal works within or outside of any sewer area or areas to serve such sewer area or one or more sewer areas or lands situate therein.

Assessment of cost.

3.—(1) The entire cost of the construction, enlargement, extension, improvement, operation, maintenance, management and repair of any such waterworks systems or of any such sewerage systems or sewage disposal works save and except such works as are undertaken pursuant to the provisions of *The Local Improvement Act* as hereinafter provided, Rev. Stat., c. 235.

shall

shall be assessed and levied upon all the rateable property in the area or areas to serve which such works have been undertaken, provided that where such works are undertaken to serve more than one area the council shall by by-law determine the portion of the cost thereof to be borne by each of such areas.

Application of revenues.

(2) The revenues arising from the operation of any such works shall form a special fund for the use of the area to serve which such works have been undertaken. Provided that where such works have been undertaken to serve more than one area the said revenues shall be apportioned between or among the areas served in the same proportions as they contributed to the cost of the construction of such works.

Term of debentures.

4. Where the whole or any portion of the cost of any work is assessed against all the rateable property in any area or areas, the debentures issued to provide for the payment of the cost so assessed may be made payable within thirty years from the date of issue of such debentures.

Certain works as local improvements.

5. The council may undertake within any water area or areas the construction of waterworks, watermains and necessary appliances and accessories and private drain connections and within any sewer area or areas the construction of sewers and necessary appliances and accessories and private drain connections as local improvements pursuant to the provisions of *The Local Improvement Act*, provided that:

Rev. Stat., c. 235.

Exceptions from Rev. Stat., c. 235.

Corporation's portion of cost assessable to area.

(*a*) Except as in this section otherwise expresssly provided where a work is constructed to serve lands situate entirely within one area, that part of the cost which would otherwise be the corporation's portion of the cost shall be assessed upon all the rateable property in the area and the remainder of the cost of such work shall be specially assessed upon the lots within such area fronting or abutting directly on or served by the work.

Apportionment of cost among areas.

(*b*) Where a work is constructed to serve lands situate within more than one area, the council shall by by-law determine the portion of cost to be borne by each area, and such respective portions shall be assessed in such areas in the manner in this section provided.

Fixed frontage rate.

(*c*) The council may by by-law passed at any general or special meeting by a vote of three-fourths of all the members of the council provide that a certain annual rate per foot frontage in satisfaction of the owners' portion of the cost shall be assessed upon,

levied

levied and collected from the lots fronting or abutting directly on or served by the watermains or sewers constructed in the area designated in such by-law during the currency of the debentures issued to pay for the cost of such watermains or sewers and that the remainder, if any, of the cost not provided for by such annual rate, shall be assessed and levied upon all the rateable property in the area, provided that if in any case such annual rate per foot frontage shall be more than sufficient to provide for the actual cost of the watermains or sewers the surplus resulting therefrom shall be deposited to a special account to be used by the council for the benefit of such area. Any such by-law shall not be repealed or amended except by a vote of three-fourths of all the members of the council.

Publication of notices.

(*d*) In any notice of council published, served or mailed pursuant to sections 10, 12, 37 or 42 of *The Local Improvement Act* in respect to the construction of watermains or sewers it shall not be necessary to show the portion of the cost, actual or estimated, which is to be borne by the corporation or the area, but it shall be sufficient to show the estimated cost of the work and the estimated cost thereof per foot frontage.

Maintenance of work.

(*e*) After a work undertaken has been completed it shall during its lifetime be maintained, managed and kept in repair by and at the expense of the area for the benefit of which it is constructed, or if constructed for the benefit of more than one area then at the expense of the areas in proportion to their respective shares of the cost of the construction thereof.

Debentures.

(*f*) The debentures issued for the sums borrowed to defray any portion of the cost of any work which is assessed against all the rateable property in any area may be made payable within thirty years from the date of issue thereof if issued separately from the debentures issued to defray the portion of the cost which is specially assessed upon the lands fronting or abutting directly on or served by such work.

Temporary loans and debentures.

6. The council may agree with any bank or person for temporary advances to meet the cost of any of the works hereby authorized pending the completion thereof, and the council may when the work undertaken is completed borrow on the credit of the corporation at large such sums as may be necessary to repay such advances and to defray the cost of

the

the work undertaken including the items of cost referred to in subsection 2 of section 20 of *The Local Improvement Act*, and may issue debentures for the sums so borrowed.

Deficiency in rates.

7. If in any year the amount realized from the rates imposed to provide for the cost of any work and the interest thereon is insufficient to pay the amount falling due in such year in respect of the debentures issued to pay for the cost of such work, the council shall provide for the deficiency in the estimates for the current or the following year, and levy and collect the same by a general rate on all the rateable property in the municipality, but this shall not relieve the land in such area or areas so assessed and upon which the said rates are imposed from payment of the said rates.

Rev. Stat., c. 235, secs. 46 and 47, to apply.

8. The provisions of sections 46 and 47 of *The Local Improvement Act* shall apply *mutatis mutandis* to the works undertaken and debentures issued under this Act.

Alteration of areas.

9. The council of the township of Ancaster may from time to time pass by-laws to enlarge or reduce any defined area by annexing thereto such portion or portions of the said township or of any area or by withdrawing therefrom such portion or portions of the area as may be designated in the by-law, or to amalgamate any two or more areas or parts thereof, or to subdivide, vary, or alter any one or more areas, upon such terms and conditions and with such adjustments of rates as may be provided in the by-law.

Joint works under agreement with other municipalities.

10.—(1) The said corporation and the corporation of any adjacent municipality may enter into agreements for the construction, enlargement, extension, improvement, operation and maintenance of sewage disposal works, plant, appliances and accessories in connection therewith for the joint use of any sewer area or areas in the said township or in such other municipality, and the portion of the cost of the construction, enlargement, improvement and extension of such works and of the operation and maintenance thereof payable by the said corporation as fixed by such agreement shall be assessed and levied upon all the rateable property in such sewer area or areas as the case may be in the said township, as provided in section 3, and the revenue payable to the said township under any such agreement shall be credited to the sewer area charged with the said cost, or if more than one area, then to such areas in proportion to their respective shares of the said cost.

Sewage agreements (outside sewers).

(2) The said corporation and the corporation of any adjacent municipality may enter into agreements for the admission of sewage from the said township into the sewers

and

and sewerage works of such other municipality, and all cost, charges and expenses in connection therewith shall be assessed and levied on all the rateable property in the area in the said township benefited thereby, or if more than one area, then on all the rateable property in such areas in such proportion as the council may by by-law determine.

Sewage agreements (township sewers).

(3) The said corporation may enter into agreements with the corporation of any adjacent municipality for the admission of sewage from such other municipality or municipalities into the sewers and sewerage works of the said township, and in such event the revenue arising therefrom shall be credited to the sewer area of the said township into whose sewers or works the sewage is admitted, or if more than one area then to such sewer areas in such proportion as the council may by by-law determine.

Water supply agreements with other municipalities.

11. The said corporation may enter into agreements with any other municipal corporation for a supply of water to serve the waterworks systems and sewers and sewerage systems constructed, maintained and operated under the authority of this Act, and all cost, charges and expenses in connection therewith may be assessed and levied on all the rateable property in the area benefited thereby or, if in more than one area, then on all the rateable property in such areas in such proportions as the council may by by-law determine.

Requirements as to by-laws establishing areas and undertaking works.

12.—(1) It shall not be necessary to submit for the assent of the electors any by-law passed pursuant to the provisions of this Act but no by-law to set apart and establish a water area or a sewer area pursuant to this Act or to apportion the cost of any work between two or more areas or parts thereof or to declare the desirability of undertaking or to undertake the construction of any work hereinbefore mentioned shall be valid unless the same has been passed at a meeting of the council by vote of two-thirds of all the members thereof.

Petition to Municipal Board.

(2) Where the council passes any such by-law, a majority of the owners representing one-half the total rateable assessment of such area or areas to be assessed therefor being dissatisfied with the establishment of a proposed water area or sewer area or with the proposed apportionment of cost of works for two or more areas or with the proposed work or with the manner in which it has been undertaken may by petition apply to the Ontario Railway and Municipal Board for relief and the Board may thereupon investigate the complaint and make such order with respect to the proposed scheme or work as may seem proper and after notice to the clerk of the said township of the application and pending its determination by the Board the council shall not proceed with the proposed scheme or work, or pass any by-laws in respect thereto.

Sufficiency of petition.

(3) The sufficiency of such petition shall be determined in the manner provided by section 15 of *The Local Improvement Act.*

Filing of petition.

(4) Such petition shall be deposited with the Secretary of the Board within twenty-one days after publication of notice of the council's intention to pass a by-law for any of the purposes referred to in subsection 1.

Passing of by-law and publication of notice.

(5) A by-law for any of the purposes referred to in subsection 1 shall not be passed until the expiry of twenty-one days after publication of the notice referred to in subsection 4, and such notice shall substantially be in the same form and to the same intent as the form of notice required to be published pursuant to section 10 of *The Local Improvement Act* with such amendments therein as may be requisite for the purposes of this section.

Installation of sanitary conveniences.

13. Where the local board of health of the said township recommends that sanitary conveniences should be installed in any building, and is of the opinion that the owner of the premises is unable to pay the expense of the same at once, the council of the said corporation may install suitable sanitary conveniences at the expense of the owner and may direct that the cost, including interest at a rate not exceeding six per cent. per annum on the deferred payments, be paid by the owner in equal successive annual payments extending over a period of not exceeding five years, and thereupon such annual payments shall be added by the clerk of the said corporation to the collector's roll for taxes and collected in like manner as municipal taxes.

Rev. Stat., c. 233, s. 306, not to apply to any rates imposed under this Act.

14. All rates imposed and levied pursuant to the provisions of this Act shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate levied pursuant to this Act shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the council may contract any further debts, and any debt may be contracted pursuant to the provisions of this Act notwithstanding the limitations prescribed by said section 306.

By-laws and debentures confirmed.

15. By-laws numbers 789 and 790 of the said corporation passed on the 2nd day of September, 1930, and by-laws numbers 795 and 796 of the said corporation passed on the 19th day of December, 1930, to provide for the laying out of waterworks area number 1 of the said township and to provide for the construction of a waterworks and certain watermains in the said area are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the

ratepayers thereof and any by-law or by-laws of the said corporation to provide for the issue of debentures to pay for the construction of the said waterworks and watermains in the said area and the debentures to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

16. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 84.

An Act respecting the Town of Brampton.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Brampton and the United Suburban Gas Company, Limited, have by petition represented that the by-law set forth in schedule "A" to this Act was submitted to the electors of the said town on the 1st day of December, 1930, when 507 electors voted for the said by-law and 168 against it, and the said corporation and company have by their petition prayed that an Act may be passed to confirm the said by-law; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Brampton Act, 1931.*

By-law No. 954 for gas franchise confirmed.

2. By-law number 954 passed by the council of the corporation of the town of Brampton as set forth in schedule "A" to this Act, being a by-law granting to United Suburban Gas Company, Limited, and its assigns an exclusive franchise for thirty years from January 12th, 1931, to supply gas and to make use of the highways in the said town for such purpose is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof.

Power to make agreements with gas company.

3. The said corporation may enter into such agreements with United Suburban Gas Company, Limited, and its assigns, as may be necessary for the purpose of carrying out the provisions of the said by-law.

Mains, pipes, etc., to become property of municipality if not removed.

4. If the company referred to in the said by-law or its successors or assigns shall not remove all its mains, pipes, plant and works laid out in the highways in the said town as set out in the said by-law within one year after the expiration of the said period of thirty years or within one year after the expiration of any period or periods during which the said company or its successors or assigns shall be authorized to

retain

retain and use the same, the said mains, pipes, plant and works, or so much thereof as shall not have been so removed, shall become the property of the corporation.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

BY-LAW No. 954 OF THE CORPORATION OF THE TOWN OF BRAMPTON

The Council of the Town of Brampton enacts as follows:—

1. The consent, permission and authority of the Corporation of the Town of Brampton (hereinafter referred to as the Corporation) are hereby given and an exclusive franchise for a period of thirty years from and after the final passing of this by-law, is hereby granted to United Suburban Gas Company Limited (hereinafter referred to as the Company) which expression where the context admits, shall include its successors and assigns) to conduct, distribute and supply gas in the Town of Brampton and for such purpose to enter upon all streets and public squares, and all lanes and other public places, now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein, and to maintain, operate and repair mains and pipes of such sizes as the said Company may require for the exclusive transportation and distribution and supply of gas in the said Town of Brampton during the period of thirty years aforesaid for fuel and lighting purposes, together with the right to construct and maintain and repair under the surface of such streets and public squares, lanes and public places, all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas. It being the intention of the parties hereto that the Company shall not be subject to competition in its business of distributing and supplying gas in the said Town of Brampton and the said Corporation shall not grant any right, privilege or franchise to any other company, person or individual to distribute or supply gas within the limits of the said Town of Brampton during the period of thirty years mentioned aforesaid.

2. The Company shall well and sufficiently restore forthwith to as good a condition as they were in before, all streets and public squares, and all lanes and public places, which it may excavate or interfere with in the course of the construction or repairing or removal of its gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas, and shall make good any subsidence thereafter caused by any such excavation, and well and sufficiently indemnify the Corporation against all expenses, damages and costs it may from time to time incur, or be put to by reason of the construction, repair or removal, maintenance or operation of said gas mains, pipes, regulators, valves, curb boxes, safety appliances and other appurtenances necessary for the transportation and distribution and supply of gas; and in the event of the Company failing at any time to do any work required by this section, the Corporation may forthwith do such work and charge the cost thereof to the Company, which shall pay the same on demand.

3. No excavation or opening or work which may disturb or interfere with the surface or condition of any street or public square or lane or public place shall be made or done unless a permit therefor shall have

been

been granted by the Town Engineer, and all such work shall be done under his supervision, and to his satisfaction, and in cases where an inspector on behalf of the Corporation, is considered necessary by him, the wages of such inspector shall be paid by the Company.

The location of all pipes, or works on streets and public squares and lanes and public places, shall be subject to the direction and approval of the said Engineer.

4. The Company, before beginning any work in the said Town of Brampton under this By-law shall file with the said Engineer a plan drawn to a scale, showing the streets and public squares, and lanes and public places, in which it proposes to lay mains, pipes and construct work, and the particular parts thereof, or proposes to occupy for each of such purposes, together with definite written specifications of the mains, pipes and works proposed to be laid or constructed by it, specifying the materials and dimensions of such pipes and the depth at which such mains, pipes and works are to be laid, and similar plans and specifications shall be filed with the said Engineer of all extensions of or additions to such mains, pipes or works before any such extension or addition shall be begun.

5. All rights now used in connection with the supplying of public services are to be in no way affected or impaired by any privilege hereby granted to the Company and the mains, pipes and works of the Company must be laid, constructed and maintained without interference therewith, and subject to the rights hereby conferred upon the Company the Corporation expressly reserves the right hereafter to lay down, or to permit to be laid down in the said streets and public squares, lanes and public places, now or hereafter within the jurisdiction of the Council, sewers, culverts, drains, water pipes and conduits and other plants and equipment of the Corporation used in connection with the supplying of public services, and to alter, improve and repair said streets and public squares, lanes and public places whenever the Corporation shall deem that the same is necessary or desirable.

6. The Company shall make good to the Corporation all damage or loss which may be caused to any water pipe, roadway, pavement or other property of the Corporation, by the works or operations of the Company or by the escape or leakage of gas and all expenses incurred by the Corporation by reason of such works or operations, or by any escape or leakage of gas, and the Company shall indemnify and save harmless the Corporation against all claims made for damages or loss, and against all damages, costs and expenses which may at any time be suffered, paid or incurred by reason of the exercise by the Company of the powers and privileges hereby granted.

7. The Company shall use at all times all proper and practicable means to prevent the escape or leakage of gas from its mains and pipes and the causing of damage or injury therefrom, to any person or property.

8. The Company shall render its accounts monthly and shall not charge the Corporation or consumers within the limits of the said municipality more than One Dollar and Five Cents ($1.05) per thousand cubic feet of gas, subject always to a discount of Five Cents (.05) per thousand cubic feet on all bills paid within fourteen days after presentation thereof.

(*a*) The Company shall also be entitled to charge One Dollar ($1.00) for each meter or regulator re-set at the request of the customer.

(*b*) In addition to the charges aforesaid the said Company shall be entitled to charge each customer a service charge of Fifty Cents (.50) per month for each meter from the date the said meter is installed until notice is received by the said Company to remove the same. Meters shall be furnished by the Company to all consumers of its gas.

(*c*) No charge shall be made by the Company for any supply pipe from the main to the limit of the street in which such main has been laid, but the Company shall be entitled to make a charge

for

for the installation of the supply pipe from the line of the street in which the main has been laid, to the building, house or other erection to which gas is to be supplied, at the point where the meter of the Company is installed.

(*d*) Nothing herein contained shall prevent the Company from charging consumers who use gas for industrial or heating purposes or for other purposes requiring large amounts such special rates lower than those charged to other consumers as the Company may deem advisable.

9. The Company shall supply gas at prices not greater than the prices hereinbefore mentioned, to the Corporation, and to all inhabitants of the said municipality occupying property adjoining those parts of streets, public squares, lanes and public places under which mains of the Company have been laid and are in operation, who desire to be supplied and who execute and deliver to the Company contracts to pay the rates aforesaid, and to be bound by the Company's general rules and regulations; which rules and regulations shall not be inconsistent herewith; the Company to have the right to cease to supply any such customer during any time when he shall be in arrears in respect of the Company's charges as authorized under this By-law. If any such applicant shall not be the owner of the premises for which the supply of gas is desired, the Company may require the applicant to furnish adequate security for the payment by him of the Company's charges, such security to be by guarantee bond or cash deposit, which in the opinion of the Company shall be adequate security for the payment by the applicant of the Company's charges.

10. The Company shall pay the costs, charges and expenses of the Corporation and of its solicitor of and incidental to the preparation and passing of this By-law, and of the submission thereof for the assent of the electors of the Town of Brampton.

11. In the event of the Company being prevented from carrying out its obligations under this By-law, by reason of any cause beyond its control, the Company shall be relieved from such obligation while such disability continues, and in the event of a dispute as to the existence of such disability the Ontario Railway and Municipal Board shall decide whether such disability actually exists.

12. In case either party deems it necessary or advisable to obtain ratifications of this By-law by the Legislature of the Province of Ontario, the other party will concur and assist in obtaining such ratification.

13. If the Company shall at any time for a period of two months cease or fail to supply gas to the consumers in the Town of Brampton in accordance with the terms of this By-law, the Council may by By-law terminate the rights and privileges granted hereby, and the Company thereafter shall have the right (but shall not be required) to remove all its mains, pipes, plant and works laid in the streets, public squares, lanes and public places of the said municipality by the Company; and in the event of same not being removed in one year from such termination the same, or so much thereof as shall not have been removed shall become the property of the said Corporation.

14. Upon the expiration of the said period of thirty years the Company shall have the right, (but nothing herein contained shall require it), to remove its mains, pipes, plant and works laid in the streets and public squares, lanes and public places and for such purpose shall have one year to effect the removal of the same; provided, however, that nothing herein contained shall prevent the Corporation and the Company from entering into a new arrangement for the continued supply of gas.

15. The rights, powers and privileges of the Company hereunder shall be deemed to be in addition to any other rights, powers and privileges conferred upon it by any statute or other lawful enactment of any duly constituted authority.

16. This By-law and the rights, powers, privileges and franchises hereby granted shall not take effect and be binding upon the Corporation

unless

unless within eight months after the final passing hereof, the Company, or (in the event of the said rights, powers, privileges and franchises having been assigned in the meantime as hereinafter provided to some other person or company) the assignee of the Company shall execute and deliver to the Corporation a covenant duly executed by the Company or its assignee under seal to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained. An agreement between the Corporation and the Company, or its assignee, as the case may be, embodying all the terms, conditions and provisions of this By-law (except of this paragraph) shall thereupon be prepared and executed by the parties thereto, and the Mayor and Clerk of the Corporation are hereby authorized to execute the said agreement on behalf of the Corporation, and to affix the seal of the Corporation thereto.

17. The rights, powers, privileges and franchises granted to the Company by this By-law and/or the last mentioned agreement, may be assigned to any person or company upon such person or company executing and delivering to the Corporation a covenant under seal legally binding such person or company to perform, observe and comply with all the agreements, obligations, terms and conditions herein contained.

18. This By-law shall not come into force, or take effect until it has been assented to by the municipal electors as provided by *The Municipal Act* with respect to by-laws requiring the assent of the electors.

19. The francise hereby granted shall cease to exist and no longer be binding upon the Corporation unless the Company, or its assignee, shall be ready to supply gas to the citizens of the Town of Brampton within ten months from the date of the passing hereof.

20. In this By-law the Town of Brampton shall mean the area comprised within the present municipal boundaries of the said Town and all such additional area as hereafter may from time to time be annexed thereto from the date of each additional annexation.

By-law passed this 12th day of January, 1931.

(Sgd.) GEO. AKEHURST,
Mayor.

(Sgd.) C. M. CORKETT,
Clerk.

CHAPTER 85.

An Act respecting the Town of Bridgeburg.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Bridgeburg has by its petition represented that it has incurred a floating indebtedness to the extent of $75,000 which has accumulated during recent years and has been created in part, to the extent of $64,800, by reason of loss of taxes and as to the balance thereof by the construction of permanent municipal works in the said town, and that to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of the said town; and the said corporation has prayed that the floating debt be consolidated and that the said corporation be authorized to borrow by the issue and sale of debentures sufficient money to discharge said floating debt; and whereas the said corporation has by its petition prayed for special legislation in respect to certain other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Town of Bridgeburg Act, 1931.*

Debentures for floating debt.

2. The floating debt of the corporation of the town of Bridgeburg is consolidated at the sum of $75,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding $75,000 for the purpose of paying the said floating debt.

Term of debentures, etc.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep special books.

9. It shall be the duty of the treasurer, for the time being, of the said town to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any

of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

By-law No. 679 and debentures confirmed.

10. By-law number 679 of the said corporation authorizing the borrowing of $30,073.60 upon debentures to pay for the construction of certain local improvements, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-laws Nos. 690 and 691 and debentures confirmed.

11. By-law number 690 of the said corporation authorizing the borrowing of $6,500 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from the centre line of Bridge Street to Jarvis Street, and by-law number 691 of the said corporation authorizing the construction of the said relief sewer, and all debentures issued or to be issued under said by-law number 690 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Corporate name on annexation of Fort Erie.

12. The Ontario Railway and Municipal Board by an order made pursuant to section 23 of *The Municipal Act* annexing the village of Fort Erie to the town of Bridgeburg may declare that the name of the corporation of the town of Bridgeburg shall be "the Corporation of the Town of Fort Erie," from and after such date as the Board may direct.

Commencement of Act

13. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 86.

An Act respecting the Township of Cambridge.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Cambridge has by its petition represented that it has incurred a floating debt of $18,000 which has arisen by reason of a defective system of yearly levies, and the said corporation has represented that to pay off the said indebtedness forthwith in addition to meeting the current annual expenses would be unduly burdensome on the ratepayers of the said township, and that in order to consolidate and pay off the said floating debt, it passed a by-law on the 29th day of September, 1930, numbered 463 to authorize the issue of debentures for $18,000 which by-law was assented to by the electors of the said township on the 8th day of September, 1930, and the said corporation has prayed that power should be granted to consolidate the said floating debt and to issue debentures therefor in an amount not exceeding $18,000, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Cambridge Act, 1931.*

Floating debt debentures.

2. The floating debt of the corporation of the township of Cambridge is consolidated at the sum of $18,000, and the said corporation may borrow by a special issue of debentures a sum not exceeding $18,000, for the purpose of paying the said floating debt.

Term of debentures, etc.

3. The said debentures shall be made payable in not more than ten years from the date of issue thereof, and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

4.

Type of debentures.

4. The said debentures may be payable in equal annual instalments of principal and interest in such manner and in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of $18,000 and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said township qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat., c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer, for the time being of the said township, to keep, and it shall be the duty of each of the members, from time to time of the council to procure such treasurer to keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is hereby secured, and the time at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection

of

of any ratepayer of the said township and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 87.

An Act respecting the Town of Capreol.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Capreol has by its petition represented it is desirable that its by-law number 184 and the debentures issued or to be issued thereunder should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Capreol Act, 1931.*

By-law No. 184 and debentures confirmed.

2. By-law number 184 passed by the council of the corporation of the town of Capreol on the 2nd day of February, 1931, to provide for borrowing $6,000 upon debentures for the purpose of paying for the completion of the construction and equipment of a municipal building to be used as a fire hall and for other purposes of the said corporation and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 88.

An Act respecting the Town of Cornwall.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Cornwall has by its petition represented that it is desirable to have confirmed its by-law number 16 passed with the assent of the electors of the said town on the 24th day of June, 1930, for the purpose of extending for a period of ten years the franchise rights of the Cornwall Street Railway, Light & Power Company, Limited; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Cornwall Act, 1931.*

By-law No. 16 (1930) extending street railway franchise confirmed.

2. By-law number 16 for the year 1930 of the corporation of the town of Cornwall, being a by-law to extend the franchise of the Cornwall Street Railway, Light & Power Company, Limited as set forth in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company and upon any other person or persons affected thereby.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE "A"

BY-LAW

By-law No. 16 of the Town of Cornwall for the Year 1930

Being a By-law to extend the Franchise of the Cornwall Street Railway, Light & Power Company

Whereas, by a By-law numbered 47 of the Town of Cornwall, finally passed on the 28th day of December, 1895, certain powers were granted to one W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, to operate an electric railway through certain streets in the Town of Cornwall;

And whereas a Company was subsequently formed, known as "The Cornwall Street Railway, Light & Power Company, Limited," which said Company constructed their lines and operated an electric railway under the said franchise along certain streets through the Town of Cornwall, and extended their line into the Township of Cornwall, the Municipality adjoining the said Town of Cornwall;

And whereas the Town of Cornwall by By-law No. 33 of the year 1914, extended the franchise of the said Company for a period of Twenty years, within certain additions to and amendments of certain sections of By-law No. 47 of the year 1895;

And whereas the Company is willing to and desirous of building new lines mainly for the purpose of removing freight traffic from certain main thoroughfares of the Town, and in order to conform to the changing traffic conditions in the Town of Cornwall, which extensions and other necessary changes will occasion a large expenditure of money upon its part, and it has therefore applied for an extension of the said franchise given by By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, for a period of Ten years from the 1st day of July, 1931.

1. Be it therefore enacted a By-law of the Municipal Corporation of the Town of Cornwall, that the franchise granted to the aforementioned W. R. Hitchcock, his associates, assigns, transferees, or such Company as might be formed by him, or them, to carry out the undertaking of constructing and operating an electric railway, as amended by By-law No. 33 of the year 1914, and which said franchise as amended is now held by the Cornwall Street Railway, Light & Power Company, Limited, for the purpose of operating an electric railway, be extended for a period of Ten years from the 1st day of July, 1931, and said franchise shall cover all additional lines and sidings constructed by the said Railway under certain amending By-laws and Resolutions of the Town of Cornwall, for the purpose of connecting private properties with its line of railway operated upon the highways and of carrying freight to and from the said private properties to the various Railway Stations in the Town and Township of Cornwall.

2. The terms and conditions under which the said Company may continue to operate their said railway shall be the same as those set out in said By-law No. 47 of the year 1895, as amended by By-law No. 33 of the year 1914, with the exceptions hereinafter specifically mentioned.

3. The Company shall be obliged by the 1st of October, 1932, to extend its line from the junction of Seventh Street and Cumberland Street, to its line at the corner of Cumberland and Second Streets, provided that permission be granted for such purpose by the Township of Cornwall, and shall, insofar as is possible, use this line for the movement of all freight to and from the Howard Smith Paper Mills, Limited, and other contiguous points.

4. Section 4 of By-law No. 47 of the year 1895, is amended by providing that by permission of a Resolution of the Town Council, turnouts or switches of the said Railway may be of such length and at such distance apart as the said Council may by Resolution specify.

5. The Company shall have, and may exercise during the continuance of this By-law, as auxiliary and supplementary to the street railway system, an exclusive franchise to maintain and operate within the limits of the Town of Cornwall, as now existing or hereafter extended, a transportation system for the purpose of transporting passengers between points in the said Town of Cornwall, by way of motor buses or other automotive or mechanically propelled vehicles, subject to license fees as the Council may impose, provided that this paragraph shall not apply at any time to cabs or taxicabs duly licensed by the Municipality.

6. The said Company further covenants and agrees that it will pay the expenses incurred by the Corporation in the submission of this By-law.

Read a first and second time in open Council this 28th day of April, 1930.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

Read a third time this 24th day of June, A.D. 1930, passed, signed and sealed.

(Sgd.) A. HOROVITZ,
Mayor.

[SEAL]

(Sgd.) J. G. HARKNESS,
Clerk.

CHAPTER 89.

An Act respecting the Township of Crowland.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Crowland has by its petition prayed for special legislation confirming all tax sales held by it prior to the thirty-first day of December, 1929; and whereas it is deemed expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Crowland Act, 1931.*

Tax sales and conveyances prior to 31st Dec., 1929, confirmed.

2. All sales of land within the township of Crowland made prior to the thirty-first day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the reeve and treasurer of the said township, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation are validated and confirmed and shall have the effect of vesting the lands so sold and conveyed in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successor and assigns, as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

3. Nothing in this Act contained shall affect any action or prejudice the rights of any person under litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commencement of Act.

4. The provisions of this Act shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 90.

An Act respecting the Town of Dundas.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Dundas has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Dundas Act, 1931.*

By-laws Nos. 1045 and 1046 and debentures confirmed.

2. By-law number 1045 of the corporation of the town of Dundas, passed on the 10th day of June, 1930, to provide for borrowing $6,300 by the issue of debentures to pay for certain sewers, and by-law number 1046 of the said corporation passed on the 10th day of June, 1930, to provide for borrowing $5,500 by the issue of debentures to pay for certain other sewers, and the debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 91.

An Act respecting the Town of Eastview.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Eastview has by its petition represented that it has incurred a floating debt of $75,000 which has arisen by the inability, neglect or refusal of owners of vacant lands in the said municipality to pay the taxes due thereon, and, while the corporation proposes to endeavour to reduce its annual expenditure so that the same may conform to its annual receipts, that to pay off the said indebtedness forthwith, in addition to meeting the current annual expenses, would be unduly burdensome on the ratepayers of the said town, and therefore prays that the said floating debt may be consolidated and that the said corporation may be authorized to borrow money by the issue of debentures to pay off the said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Eastview Act, 1931.*

Debentures for floating debt.

2. The floating debt of the corporation of the town of Eastview is consolidated at the sum of $75,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding $75,000 for the purpose of paying the said floating debt.

Term of debentures

3. The said debentures shall be in sums of not less than $100 each and shall be made payable in not more than twenty years from the date of issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and

in

in such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to the amount which is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable in addition to all other rates a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not requisite.

7. It shall not be necessary to obtain the assent of the electors of the said town to any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat., c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of the debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town and of any of the holders from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

New undertakings, etc., to be approved by Ontario Railway and Municipal Board.

10. Notwithstanding anything in any general or special Act contained the said corporation shall not hereafter undertake

take any work or incur any expenditures or liabilities of any nature which shall require or may involve debentures of the said corporation being issued to pay for the cost of such work or to meet such expenditures or liabilities without the approval of the Ontario Railway and Municipal Board being first obtained.

Yearly estimates to be approved by Director of Municipal Affairs.

11. The council of the said corporation shall not later than the first day of April in any year submit for the approval of the Director of the Bureau of Municipal Affairs the yearly estimates to be prepared under the provisions of *The Municipal Act* and the estimates as finally approved by him shall for the purposes of the said Act be the estimates upon which the said council shall levy the rates for the current year.

Auditor to be approved.

12. The auditor of the corporation shall be approved by the said Director and shall not be removed from office without his consent.

Commencement of Act

13. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 92.

An Act respecting the City of East Windsor.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of East Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of East Windsor Act, 1931.*

"Corporation," meaning of.

2. In this Act, "Corporation" shall mean the corporation of the city of East Windsor.

Power to construct and maintain subways, etc.

3. The corporation is hereby empowered to construct and maintain within the city of East Windsor the subways and other works which the Board of Railway Commissioners for Canada have authorized or ordered the corporation to construct under the Canadian National Railways where Drouillard Road and Wyandotte Street respectively now cross the same at rail level.

By-law No. 975 confirmed.

4. By-law number 975 of the corporation, authorizing the construction of the said subways and works, is hereby confirmed and declared to be legal, valid and binding upon the corporation and the ratepayers thereof, and any works authorized to be constructed thereunder and all temporary advances heretofore made pending the completion of said works shall conclusively be deemed to have been legally undertaken, authorized, and obtained.

Power to borrow to defray cost of work. Rev. Stat., c. 233.

5. For the purposes above set forth, and notwithstanding anything contained in *The Municipal Act* or any other Act, the corporation may agree with any bank or person for temporary advances to meet the cost of any work undertaken pursuant to the provisions of the said by-law pending the

completion

completion thereof and may, when the said work so undertaken is completed, pass by-laws to borrow on the credit of the corporation by the issue and sale of debentures, payable within thirty years from the date thereof, such sum or sums as shall be necessary to repay such advances and to defray the cost of the work so undertaken.

By-laws subject to approval of Ontario Railway and Municipal Board.

6. Any by-law passed under the provisions of this Act shall be approved by the Ontario Railway and Municipal Board subsequent to the passage thereof, and no such by-law shall require the assent of the electors qualified to vote on money by-laws thereto, and every by-law so approved by the Ontario Railway and Municipal Board and any debentures of the corporation authorized thereby, shall conclusively be deemed to have been lawfully passed and authorized and shall be valid and binding upon the corporation and the ratepayers thereof, and the validity of any such by-law and of any work undertaken or constructed pursuant thereto and of any debentures issued thereunder, shall not be open to question in any court on any ground whatever.

Cost,— what to include.

7. The cost of any work undertaken pursuant hereto shall be deemed to include all costs of and incidental to any order of the Board of Railway Commissioners for Canada with regard to any works so undertaken and of any legislation dealing therewith and of all costs of and incidental to the expropriation and acquisition of lands required for any such work.

Application of Rev. Stat., c. 233.

8. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to every by-law passed under the authority of this Act and the provisions hereof shall be deemed to be in addition to and not in derogation of any power, right or privilege which the corporation now enjoys under *The Municipal Act* or any other Act.

Commencement of Act.

9. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 93.

An Act respecting the Township of East York.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of East York Act, 1931.*

1926, c. 106, s. 2, subs. 2, amended.

2. Subsection 2 of section 2 of *The Township of East York Act, 1926*, is amended by striking out the figures "1931" in the second line and substituting therefor the figures "1936."

Housing commission.

3. The housing commission of the municipality of the township of East York may, with the consent of the council of the said corporation, from time to time sell or otherwise dispose of houses erected by or vested in or controlled by the said commission to such purchasers, at such prices, at such times and upon such terms as it may deem expedient.

By-law No. 2112, confirmed.

4. By-law number 2112 of the said corporation passed on the 23rd day of February, 1931, and set out as schedule "A" hereto, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE "A"

TOWNSHIP OF EAST YORK

BY-LAW No. 2112

To amend By-law Number 1243, entitled "A By-law for the purpose of dividing the Township into industrial, business and residential areas, and restricting the user of land and buildings within the defined areas."

Whereas it is deemed expedient that By-law No. 1243, as amended by By-laws Nos. 1347, 1518 and 1859, being a by-law for the purpose of dividing the township into industrial, business and residential areas and restricting the user of lands and buildings within the defined areas, be further amended;

Be it therefore enacted by the Municipal Council of the Corporation of the Township of East York as follows:

1. That clause 2 of By-law No. 1243 be repealed and the following substituted therefor:

"2. In the residential area no building shall be erected upon any lot or used for any purpose other than as a detached or semi-detached or duplex or apartment dwelling house, except that private garages for the exclusive use of the occupants of any such dwelling house may be constructed or used in rear thereof."

2. That clause 4 of By-law No. 1243 be amended by striking out the words "for use" in the first line thereof, and substituting therefor the words "or used" so that the clause will now read:

"4. No building shall be erected or used for business purposes within the business area herein defined unless the same be entirely constructed of solid brick, stone or other fireproof material, and all dwelling houses erected therein must be of the same fireproof construction to the height of one storey."

This section shall not apply to prevent the continued use for business purposes of any building which was erected for such use prior to the 9th day of January, 1928, so long as such building is not altered, notwithstanding that the same is not entirely constructed of solid brick, stone or other fireproof material.

Enacted and passed: February 23rd, 1931.

"W. H. HEATON,"
Clerk.

(Seal)

"R. M. LESLIE,"
Reeve.

CHAPTER 94.

An Act respecting the Essex Border Utilities Commission.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the Essex Border Utilities Commission has by its petition represented that it is desirable that it should have power to construct and operate a sanatorium for consumptives and that *The Consolidated Essex Border Utilities Act, 1929* may be amended to authorize the commission by by-law to pay its members for attendance; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Essex Border Utilities Act, 1931.*

1929, c. 98, s. 3, subs. 6, para. (h), repealed.

2. Paragraph *h* of subsection 6 of section 3 of *The Consolidated Essex Border Utilities Act, 1929* is repealed and the following substituted therefor:

Payment of members.

(*h*) The commission may by by-law provide for paying the members for their actual attendance at meetings thereof or of its committees at a rate not exceeding $10 for any one day, but not more than $150 in any one year.

1929, c. 98, s. 26, amended

3. Section 26 of said Act is amended by adding thereto the following subsection:

Commission may establish a sanatorium.

1931, c. 76.

(4) (*a*) The establishment, maintenance and management of a sanatorium for consumptives is hereby declared to be a work authorized under this Act and the commission shall have and is hereby vested with the power of a municipality under *The Sanatoria for Consumptives Act, 1931.*

Apportionment of cost.

(*b*) The cost shall be apportioned by procedure under sections 13, 14, 20 and 21 of this Act, in other

respects

respects the procedure shall be under *The Sanatoria for Consumptives Act, 1931.*

(*c*) The commission shall constitute and shall be the corporation for the sanatorium instead of that provided for by sections 17 to 20 of *The Sanatoria for Consumptives Act, 1931.* Commission as trustees of sanatorium.

(*d*) The by-law for the construction of the sanatorium required by *The Sanatoria for Consumptives Act, 1931*, shall only be passed after obtaining the consent by resolution of a majority of the municipal councils of the Essex Border municipalities or of councils of the said municipalities which in the aggregate are charged with more than one-half of the total estimated cost set out in the engineer's report. Consents to be obtained.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 95.

An Act respecting the Township of Etobicoke.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Etobicoke has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Etobicoke Act, 1931.*

By-law No. 3666 and debentures confirmed.

2. By-law number 3666 of the corporation of the township of Etobicoke passed on the 17th day of November, 1930, to authorize the borrowing of $51,375 upon debentures to pay the cost of widening the Lakeshore Road and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 3667 and debentures confirmed.

3. By-law number 3667 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of $50,000 upon debentures to pay the corporation's portion of the cost of the erection of a bridge on Dundas Street over the Humber River between the township of Etobicoke and the township of York and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 3668 and debentures confirmed.

4. By-law number 3668 of the said corporation passed on the 17th day of November, 1930, authorizing the borrowing of $8,500 upon debentures to pay the cost of the erection of a retaining wall on Lake Promenade in the said township and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Creation of fire areas.

5.—(1) Any defined section or area in the township of Etobicoke heretofore designated by the council as a defined section or area pursuant to the provisions of section 2 of *The Township of Etobicoke Act, 1923*, and every section or area which may hereafter be designated and every enlargement and extension thereof pursuant to the provisions of the said section of said Act shall be a fire area for the benefit whereof fire protection may be provided, and the annual cost of providing fire protection and of fighting fires in any such area shall be raised in each succeeding year by a special rate sufficient therefor over and above all other rates on all the rateable property in such section or area according to the last revised assessment roll of the said township.

1923, c. 62, s. 2.

(2) The council of the said corporation may by by-law declare one water area and part of another or parts of others or parts of two water areas or two or more water areas to form one fire area, and may repeal any such by-law.

Tax sales and deeds confirmed.

6.—(1) All sales of land within the township of Etobicoke made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the reeve, treasurer and clerk of the said township purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and incumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-laws to prescribe building line.

7.—(1) By-laws may be passed by the council of the said corporation for prescribing the distance from the line of the highway in front of it within which no building may be erected or placed, and it shall not be necessary that the distance shall be the same on all parts of the same highway.

(2) A by-law shall not be passed under this section except by a vote of two-thirds of all the members of the council,

and

and no by-law passed under this section shall come into force without the approval of the Ontario Railway and Municipal Board.

Electors to vote on annexation. Rev. Stat., c. 233.

8.—(1) Notwithstanding the provisions of *The Municipal Act* or any other Act, no part of the township of Etobicoke shall be annexed to any adjoining municipality nor be incorporated as a municipality separate and apart from the township of Etobicoke without the assent of the electors of the said township entitled to vote on money by-laws obtained on the submission of a question for that purpose in conformity with *The Municipal Act.*

Provisions of 1913, c. 124, s. 1 and Schedule "A" thereto not affected.

(2) Nothing in this section contained shall apply to or affect the provisions of section 1 of the Act respecting the city of Toronto passed in the year 1913 and chaptered 124 or the provisions of the agreement set forth as schedule "A" to the said Act.

Commencement of Act.

9. The provisions of this Act other than section 6 shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 96.

An Act respecting the Village of Forest Hill.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the village of Forest Hill has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Forest Hill Act, 1931.*

Power to use proceeds of By-law No. 325 for works chargeable to corporation.

2. The council of the corporation of the village of Forest Hill may by by-law provide that the whole or part of the moneys received from the sale of the debentures issued pursuant to by-law number 325 of the said corporation for borrowing the sum of $40,000 by the issue of debentures for the purpose of establishing a system for the collection, removal and disposal, at the expense of the said corporation, of ashes, garbage or other refuse, and for acquiring land and erecting thereon buildings together with plant and machinery for that purpose shall be applied toward the cost of any work constructed or to be constructed at the expense of the said corporation.

Assessment of cost of sidewalks on petition.

Rev. Stat., c. 235.

3. The council of the corporation of the said village shall have the right to exercise the powers conferred on townships by subsection 2 of section 28 of *The Local Improvement Act.*

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 97.

An Act respecting the Village of Fort Erie.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the village of Fort Erie has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Fort Erie Act, 1931.*

By-laws Nos. 729 and 730 and debentures confirmed.

2. By-law number 729 of the corporation of the village of Fort Erie authorizing the borrowing of $37,614 by the issue of debentures to pay for the construction of a relief sewer on Niagara Street from Gilmore Road to the centre line of Bridge Street in Bridgeburg, and by-law number 730 of the said corporation authorizing the construction of the said relief sewer and all debentures issued or to be issued under said by-law number 729 are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

1927, c. 110, s. 10 repealed.

3. Section 10 of *The Village of Fort Erie Act, 1927* is repealed.

By-laws Nos. 571 and 573 and debentures, etc., confirmed.

Rev. Stat. c. 235.

4.—(1) By-laws numbers 571 and 573 of the said corporation passed respectively on the 15th day of December, 1924 and the 3rd day of March, 1925, authorizing the issue of debentures to pay for the cost of certain works undertaken or purporting to have been undertaken under *The Local Improvement Act* and the said debentures and the special assessment rolls made with respect to the said works and the respective special rates imposed and levied or to be levied under the authority of said by-laws are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

(2)

(2) Notwithstanding the provisions of subsection 1 and of said by-law number 571, the said corporation shall, commencing with the year 1931, assume and pay the special assessments charged for the sewer on Niagara Street in the said village mentioned in said by-law against those lots fronting or abutting upon the said sewer which are situate on the east side of said street between Queen Street and the north limit of Block A according to plan 453. Corporation assumes part of assessments for Niagara St. sewer.

5. By-law number 703 of the said corporation passed on the 9th day of September, 1930, authorizing the construction of certain works under *The Local Improvement Act*, is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof. By-law No. 703 confirmed.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 98.

An Act respecting the Town of Georgetown.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Georgetown has by its petition represented that it has incurred a floating debt of $22,000 which has arisen by reason of losses having occurred from certain taxes becoming uncollectible, levies being insufficient for current purposes, default being made in repayment of loans to industries, housing losses and other causes; and whereas the said corporation has by its petition represented that to pay the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive on the ratepayers of the said corporation, and therefore that the said floating debt may be consolidated and debentures be issued sufficient to discharge such debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Town of Georgetown Act, 1931.*

Floating debt consolidated at $22,000.

2. The floating debt of the corporation of the town of Georgetown is consolidated at the sum of $22,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding $22,000 for the purpose of paying the said floating debt.

Terms of debentures, rate of interest, etc.

3. The said debentures shall be made payable in not more than ten years from the issue thereof and shall bear interest at a rate not exceeding five per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and

interest

interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Levy of special rate.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.* Rev. Stat., c. 233.

Irregularity in form not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep book of account.

9. It shall be the duty of the treasurer, for the time being, of the said corporation to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 99.

An Act respecting the Town of Haileybury.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Haileybury has by its petition represented that it was incorporated as a town on the 30th day of July, 1904 and at the time of the incorporation there was a large amount of mining and milling of ore carrying on in the vicinity of the said town, which has to a great extent since diminished and the mines and mills have ceased to operate, resulting in a reduction in the population of the said town and a diminution in the assessed value of the rateable property; that on October 4th, 1922 a great fire occurred in the said town which completely destroyed seven-eighths of the assessed value of the rateable property of the town, and to a considerable extent such property has never been rebuilt; that the said corporation has incurred a floating debt of $70,000, which amount includes about $53,000 of uncollectible taxes; that the said town has an outstanding debenture debt of $118,501.34 as hereinafter specified; that the total rateable assessment of the said town according to the last revised assessment roll is $1,454,335; that the total amount of land within the limits of the said town comprises 750 acres, that there has been constructed about a mile and a half of permanent pavement and about ten miles of cement sidewalks within the town; that the town owns its own waterworks plant of a value of about $124,500; and whereas the said corporation has by its petition represented that it is desirable and in the interests of the said corporation to consolidate the said floating debt and to issue debentures to pay for same and to renew the said outstanding debenture debt by the issue of new debentures therefor, it being otherwise too burdensome for the ratepayers of the said town to discharge the said floating debt and to retire the said outstanding debt at present maturities thereof, and has prayed that an Act be passed authorizing it to borrow money by the issuing of debentures to pay its floating and debenture indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.

Short title.

1. This Act may be cited as *The Town of Haileybury Act, 1931.*

Debentures for floating debt.

2.—(1) The floating debt of the corporation of the town of Haileybury is consolidated at the sum of $70,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding $70,000 for the purpose of paying the said floating debt, and such debentures shall be payable in not more than twenty years from the date of issue thereof.

Application of debentures.

(2) The said debentures and all moneys arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Debentures to renew existing debt.

3.—(1) The said corporation may from time to time pass by-laws to borrow sums of money not exceeding in the aggregate $118,501.31 by the issue of debentures payable in not more than twenty years from the respective dates of issue thereof for the purpose of retiring or redeeming the outstanding debentures of the said corporation set out in schedule "A" to this Act.

Application of debentures.

(2) The said debentures and all moneys arising therefrom shall be applied by the said corporation in the retiring or redemption of the said outstanding debentures and for no other purpose.

Calling in existing debentures.

(3) The treasurer of the said corporation shall, on receiving instructions from the council so to do, from time to time, but only with the consent of the holders thereof, call in any of the said outstanding debentures and shall discharge the same with the funds raised under this section; or may with the like consent substitute therefor debentures authorized to be issued under this section upon such terms as may be agreed upon between the said council and the holders of the said outstanding debentures.

Rate of debenture interest.

4. The said debentures shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Instalment debentures.

5. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Special rate to meet debenture payments.

6. The said corporation shall levy in each year during the period within which the debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Assent of electors not requisite.

Rev. Stat., c. 233.

7. It shall not be necessary to obtain the assent of the electors of the said town to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE "A"

OUTSTANDING DEBENTURES

Waterworks Extension.
By-law No. 664.
Passed 1927—Due 1937—Amount of issue, $1,800.00.
Amount owing $1,365 25

Waterworks Extension.
By-law No. 604.
Passed 1924—Due 1944—Amount of issue, $2,352.61.
Amount owing 1,906 51

Waterworks Construction.
By-law No. 148.
Passed 1907—Due 1937—Amount of issue, $50,000.00.
Amount owing 18,820 59

Waterworks Construction.
By-law No. 240.
Passed 1910—Due 1940—Amount of issue, $25,000.00.
Amount owing 12,557 76

Pump House Construction.
By-law No. 588.
Passed 1924—Due 1944—Amount of issue, $20,000.00.
Amount owing 16,207 57

Filter Plant.
By-law No. 396.
Passed 1913—Due 1933—Amount of issue, $20,000.00.
Amount owing 4,660 91

Chlorinator.
By-law No. 662.
Passed 1926—Due 1937—Amount of issue, $1,500.00.
Amount owing 1,137 68

Fire Truck.
By-law No. 601.
Passed 1924—Due 1934—Amount of issue, $5,000.00.
Amount owing 2,353 99

Fire Hall.
By-law No. 587.
Passed 1923—Due 1943—Amount of issue, $15,000.00.
Amount owing 11,577 27

Street Paving.
By-law No. 697–707.
Passed 1928—Due 1948—Amount of issue, $7,500.00.
Amount owing 7,079 99

Street Paving.
By-law No. 698–706.
Passed 1928—Due 1948—Amount of issue, $3,800.00.
Amount owing 3,587 20

Street Paving.
By-law No. 682.
Passed 1928—Due 1948—Amount of issue, $25,000.00.
Amount owing 23,600 00

Main Sewers.
By-law No. 77.
Passed 1907—Due 1937—Amount of issue, $20,000.00.
Amount owing 7,528 36

Floating

Floating Debt.	
By-law No. 305.	
Passed 1912—Due 1932—Amount of issue, $26,000.00.	
Amount owing	$3,879 31
District Seat.	
By-law No. 382.	
Passed 1913—Due 1933—Amount of issue, $5,000.00.	
Amount owing	1,092 60
Waterworks Extension.	
By-law No. 290.	
Passed 1911—Due 1931—Amount of issue, $15,000.00.	
Amount owing	1,146 32
Total	$118,501 34

CHAPTER

CHAPTER 100.

An Act respecting the City of Hamilton.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Hamilton has by petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Hamilton Act, 1931.*

Establishment of Playgrounds Commission.

2.—(1) The council of the corporation of the city of Hamilton may by by-law establish a commission, to be known as "Hamilton Playgrounds Commission" for the general management and control of playgrounds within the city, such commission to be composed of the mayor and of twelve other persons, three of whom shall be members of the council, and the other nine of whom shall be ratepayers of the said corporation, but not members of the council, and all of them, other than the mayor, shall be appointed by the council.

Composition, powers, duties, etc., of Commission to be fixed by by-law.

(2) The council may from time to time pass by-laws granting aid to said commission and defining the powers and duties of the said commission and members thereof, and may vary the composition of the said commission, and may provide for the tenure of office, vacancies and manner of appointments of the members of the commission, other than the mayor, but the powers of the board of park management of the said city shall not be curtailed by the provisions of this Act or of any such by-law.

No remuneration.

(3) The members of the commission shall serve without compensation.

Title to lands, etc.

(4) All lands, rights and privileges acquired by the commission shall be taken in the name of and be vested in the

said

said corporation, and the council of the said corporation shall have power to sell or otherwise dispose of such lands, rights and privileges, but this provision shall not apply to or include lands now owned by the corporation and under the control and management of the said Board of Park Management.

Assumption, control and management of airport.

3. The council of the said corporation may assume the control and management of the lands, landing grounds, runways and works acquired by it for the establishing of an air port or harbour pursuant to paragraph *b* of subsection 1 of section 2 and section 3 of *The City of Hamilton Act, 1929* (chapter 103), and may maintain and operate such air port or harbour or may entrust such control and management to a commission appointed by the council, and may make annual grants towards the maintenance and operation of such air port or harbour, and may from time to time lease, sell or otherwise dispose of the same as the council may determine, and the said council is hereby authorized to pass all necessary by-laws to provide for carrying out the above purposes.

By-law and agreement confirmed.

4.—(1) By-law number 4168 of the said corporation set forth in schedule "A" hereto and the agreement dated the 24th day of March, 1931, made between the said corporation and the United Gas and Fuel Company of Hamilton, Limited, set forth in schedule "B" hereto, are and each of them is hereby confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

United Gas Company to exercise certain powers in its own name.

(2) The said company shall have and may exercise all the rights conferred by clause 2 of the said agreement in the same manner and to the same extent as if such rights were specifically set forth in and granted by this Act, and all such action may be taken by the said company in its own name or in the name of the said corporation, and any action so brought or taken by the said company under the provisions of said clause 2 shall be at its own expense.

Ontario Municipal Board to determine rates.

(3) The Ontario Railway and Municipal Board shall have and may exercise the powers necessary for the determination of any application authorized to be made to it under the said agreement and its determination of any such application shall be final.

Saving clause for franchises in annexed areas.

(4) The gas franchise rights (if any) of any company which but for the provisions of this Act or the said by-law or agreement would continue to exist after annexation of any portion of an adjacent municipality to the said city shall not be prejudiced or affected by this Act or the said by-law or

agreement,

agreement, but in no case shall any rights in such annexed portions continue beyond the 24th day of March, 1941, under any franchise hereafter granted.

Renewal of franchises of other companies.

(5) Nothing in this Act or in the said by-law or agreement contained shall prevent any company whose gas franchise to supply gas in the said city or any district which may hereafter be annexed to the said city shall have expired by effluxion of time prior to the 24th day of March, 1941, from applying to the said corporation for a renewal of the rights granted by such franchise, and the said corporation may grant a renewal of such franchise in whole or in part, but such renewal shall not extend beyond the said 24th day of March, 1941.

Transmission franchises for Manufacturers Gas Co. and other companies.

(6) Nothing in this Act or in the said by-law or agreement contained shall prevent the said corporation from granting to the Manufacturers Natural Gas Company, Limited, or any other company, a transmission franchise pursuant to clause *b* of section 6 of *The Municipal Franchises Act*.

Rev. Stat. c. 47, not affected.

(7) Nothing in this Act or in the said by-law or agreement contained shall in any way affect the provisions of *The Natural Gas Conservation Act*, or the powers, rights and duties vested in the Minister of Mines, the Natural Gas Referee and the Natural Gas Commissioner under the said Act.

Assent of electors not requisite.

(8) It shall not be necessary for their validity that the said by-law or agreement be assented to by the electors of the said city.

Section 1 of agreement amended.

(9) The said agreement is amended by striking out the words and figures "and 807" in the ninth line of section 1 thereof and inserting in lieu thereof the words and figures "808 and 2517" and by striking out the words and figures "by-law number 715" in the twelfth line thereof and inserting in lieu thereof the words and figures "by-laws numbers 583 and 715," and the original and counterpart copies of the said agreement executed between the parties thereto shall be amended and construed accordingly.

Tax Sales and conveyances confirmed.

5.—(1) All sales of land within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold, to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in

the

the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Power to borrow $365,663 for certain purposes, without assent of electors.

6. The said council, may without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws, for borrowing the sum of $365,663 or any portion thereof, by the issue and sale of debentures, for the following purposes and objects, namely:

(*a*) For acquiring land and erecting a building as quarters for Hamilton Relief Department on Victoria Avenue, north of Barton Street, and buying equipment therefor, the sum of	$19,000
(*b*) For additional cost in connection with the erection of the Swimming Pool at Scott Park Stadium, the sum of	16,000
(*c*) For improvements to the Hamilton General Hospital and the equipment thereof, the sum of	45,663
(*d*) For the construction of a roadway, including bridge and approaches thereto, from Aberdeen Avenue along Paradise Road, and thence in a northwesterly direction to Main Street, formerly known as the Hamilton and London Provincial Highway, the sum of	100,000
(*e*) For the construction of runways and other works on the property of the Airport or Harbour in the township of Saltfleet, at present operated by the International Airways of Canada Limited, the sum of	60,000
(*f*) For acquiring the properties on Bay Front of The Canadian Steamship Lines and Dominion Power Company for park and industrial purposes, the sum of	125,000
Total	$365,663

(2) The said debentures shall be made payable at any time or times within a period not exceeding thirty years. Debentures payable within 30 years.

7. This Act, other than section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1931. Commencement of Act.

SCHEDULE "A"

By-law No.

To Authorize the Execution of an Agreement between the Corporation of the City of Hamilton and The United Gas & Fuel Company of Hamilton, Limited.

The Municipal Council of the Corporation of the City of Hamilton enacts as follows:—

1. That the proposed agreement dated the 24th day of March, 1931, between the Corporation of the City of Hamilton, of the one part, and the United Gas & Fuel Company of Hamilton, Limited, of the other part (a true copy whereof is set out in Schedule "A" to this By-law), is hereby approved and authorized.

2. The Mayor and the Clerk of the Corporation are hereby respectively authorized and directed to execute the said agreement and the Clerk shall affix the Corporate seal thereto.

Passed this day of , 1931.

City Clerk. Mayor.

SCHEDULE "B"

This Agreement made in triplicate this 24th day of March, 1931.

Between:

The Corporation of the City of Hamilton (hereinafter called the "City")

of the first part;

—and—

The United Gas and Fuel Company of Hamilton, Ltd. (hereinafter called the "Company")

of the second part.

Whereas by By-law Number 400 respecting The Ontario Pipe Line Company Limited passed on the 26th day of September, 1904, as amended by By-law Number 443 passed on the 13th day of March, 1905, and as further amended by By-law Number 2590 passed the 29th day of November 1921, the consent, permission and authority of the Corporation of the City of Hamilton were given and granted to The United Gas and Fuel Company of Hamilton Limited, to enter upon the streets, public squares and public grounds of the City of Hamilton and to construct, maintain and operate and repair mains and pipes for the transportation and supply of natural or manufactured gas in the said City of Hamilton, for fuel,

heating

heating and lighting purposes; and the said by-laws provided that the Company should supply gas to the City Corporation and the inhabitants thereof at the prices and upon the terms and conditions contained in the said by-laws.

And whereas the City Corporation is desirous, without, however, impairing the investment of the Company, of having gas supplied to it and to its inhabitants during the next ten years at a price per thousand cubic feet of gas lower than at present charged by the Company.

And whereas in consideration of the covenants and agreements hereinafter entered into by and between the parties, the City has agreed to grant to the Company an exclusive franchise to transport, supply and sell gas in the City of Hamilton subject to the rights, if any, of the Dominion Natural Gas Company Limited and the Manufacturers Natural Gas Company Limited and the Southern Ontario Gas Company Limited.

And whereas it is expedient to amend said By-law Number 2590 as hereinafter set forth.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The consent, permission and authority of the Corporation of the City of Hamilton are hereby given and an exclusive franchise for a period of ten years from and after the date hereof is hereby granted to The United Gas & Fuel Company of Hamilton Limited (except as to and to the extent of any existing rights and privileges that may now be held by the Dominion Natural Gas Company Limited under By-law Number 533 of the Township of Barton and the Agreement entered into pursuant to the said by-law, and by the Manufacturers Natural Gas Company Limited under By-laws Number 586 and 807 of the City of Hamilton and the respective Agreements entered into pursuant to the said by-laws, and by the Southern Ontario Gas Company Limited under By-law Number 715 of the Township of Ancaster and the Agreement entered into pursuant to said by-law) to conduct, distribute and supply and sell gas in the City of Hamilton and for such purpose to enter upon all streets, public squares and all lanes and other public places now or at any other time hereafter within the jurisdiction of the Council, to dig trenches and lay and bury therein and maintain, operate and repair mains and pipes of such size as the said Company may require for the exclusive transportation and distribution and supply and sale of gas in the City of Hamilton during the period of ten years aforesaid for fuel, heating and lighting purposes together with the right to construct, maintain and repair under the surface of such streets and public squares, lanes and public places all necessary regulators, valves, curb boxes, safety appliances and other appurtenances that may be necessary in connection with the transportation and distribution and supply of gas.

2. The City Corporation shall not during the said period of ten years grant any rights, licenses, privileges or franchises to any other company, firm or individual to conduct, distribute, supply or sell gas within the limits of the said City Corporation as from time to time existing during the said period, and if during the said period any company, firm or individual, including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited or any of them or any of their respective successors or assigns shall without due license, permission and authority, conduct, distribute, supply or sell gas within the said limits or shall commence to dig trenches, lay pipes, solicit contracts for the sale of gas, or otherwise prepare to conduct, distribute, supply or sell gas within the said limits, then the Company shall have the right to take such action in any court of competent jurisdiction or otherwise as it may be advised to prevent such conducting, distribution, supply or sale of gas and/or to determine or to have the question determined as to whether or not the company, firm or individual, (including the Dominion Natural Gas Company Limited or the Manufacturers Natural Gas Company Limited or the Southern Ontario Gas Company Limited, or any of them or any their respective successors or assigns) as the case may be, has due license, permission and authority to so conduct, distribute, supply or

sell gas and/or has existing rights and privileges which justify it in so doing and all the rights of the City Corporation in the premises are hereby assigned to the Company and the City Corporation agrees that this Agreement shall not be effective until the Legislature of the Province of Ontario shall have enacted a statute conferring upon the Company the right to take all action contemplated by the provisions of this paragraph 2 and in accordance with the intention thereof.

3. The provisions of Section 1, Subsection 6, of By-law Number 2590, passed on the 29th day of November, 1921, shall be suspended during the said period of ten years, and it is agreed that during such period the Company may charge the City and the inhabitants thereof for ordinary household purposes up to but not in excess of Seventy-five Cents (75c.) net per thousand cubic feet, for natural gas, manufactured gas and a mixture of natural and manufactured gas, or any other kind of gas whatsoever; provided, however, that the Company or the City may at any time and from time to time apply to the Ontario Railway and Municipal Board for (and the Board shall have power to make) an order increasing or decreasing the maximum amount which may be charged by the Company to the City or the inhabitants thereof for ordinary household purposes, but so that the maximum amount which the Company may so charge shall in no event exceed Ninety Cents (90c.) net per thousand cubic feet for natural gas, manufactured gas, or a mixture of natural and manufactured gas, or any other kind of gas whatsoever.

In fixing the maximum amount which may be so charged by the Company within the limits aforesaid, the Board shall have regard to the gross revenues of the Company derived from the sale of gas, and if after deducting therefrom all proper charges (including interest on borrowed capital and provision for depreciation and income taxes, but not including in the price paid by the Company for gas purchased any amount in excess of Forty-five Cents (45c.) per thousand cubic feet) it shall appear that the Company is not earning or is earning more than a fair and reasonable return on the amount of its paid-up capital stock, then the Board shall make an Order increasing or decreasing, as the case may be, the maximum amount (within the limits aforesaid) which may be so charged for ordinary household purposes to such an amount that the revenue produced from the sale of gas for ordinary household purposes charged at such an amount when added to that produced from the sale of gas for heating houses and other buildings and for industrial or commercial purposes at the rate or amount then being received by the Company after deducting all proper charges as hereinbefore referred to, will enable the Company to earn a return on the amount of its paid up capital stock which in the opinion of the Board is fair and reasonable. In the event of an application by either the City or the Company as herein provided for, the City Auditor shall be entitled to make an audit of the books of the Company and report the result to the City Council, making special mention of any matter which may affect the interest of the City. In no event shall the company be entitled to charge for gas sold for heating houses and other buildings or for industrial or commercial purposes a greater amount than it is entitled to charge for gas sold for ordinary household purposes.

4. Provided, however, that the said Company may charge an additional Five (5) Cents per thousand cubic feet over and above the prices hereinbefore set forth, the same to be taken off by way of discount on all bills paid within 14 days from presentment of said bills. Such presentment may be effectually made by delivery of such bill at the residence of the consumer or by mailing the same to his street address.

5. Nothing herein contained shall prevent the Company from charging rates for gas sold for heating houses and other buildings and for industrial or commercial purposes rates lower than those charged for ordinary household purposes.

6. The rights and privileges granted by this Agreement shall extend until the 24th day of March, 1941, and the terms, provisions and conditions of By-law Number 400 and its amending By-laws Numbers 443 and 2590 of the Council of the Corporation of the City of Hamilton are

amended

amended so as to give full effect to the provisions and amendments herein set forth, but save as herein amended shall be and remain in full force and effect and binding on the parties hereto. This Agreement shall not affect the City's right to assume ownership of the rights and franchises of the Company pursuant to the terms of said By-law Number 400 and amendments thereto.

7. It is understood and agreed between the parties hereto that this Agreement and the provisions herein contained shall become absolutely null and void on the 24th day of March, 1941, and from thenceforth the By-law Number 400 and its amending By-laws Numbers 443 and 2590 and all agreements entered into pursuant to the said by-laws or any of them and all or any of the provisions, terms and conditions therein contained, which have in any way been suspended or amended by this Agreement, shall again become operative from such time as if this Agreement had not been entered into by the parties.

8. In the event of portions of municipalities being annexed to the City, the provisions of this By-law shall apply to the portions of the said municipalities as hereafter may from time to time be annexed to the City from the date of each additional annexation.

9. All written agreements, by-laws and statutes governing the relations between the parties hereto, and the powers of the Company, insofar as they are in force and effect, shall remain in full force and effect, except insofar as they are or may become inconsistent with or altered by or under the terms of this Agreement, and such agreements, by-laws and statutes, and this Agreement shall apply to the Company's business of transporting and supplying gas.

10. The Company agrees that it will not intentionally cease the supplying of gas to the City or consumers without giving the City at least three months' notice in writing of its intention so to do.

11. Except as hereinafter provided this Agreement shall be effective as from the time when the Legislature of the Province of Ontario at its present Session passes legislation—

(a) Conferring upon the Company the right to take all action contemplated by the provisions of Paragraph 2 hereof and in accordance with the intentions thereof;

(b) Conferring jurisdiction upon and requiring the Ontario Railway and Municipal Board to hear and deal with any application made to it under the terms of Paragraph 3 hereof;

(c) Confirming and ratifying this Agreement and the exclusive franchise hereby granted and declaring the same to be valid, legal and binding upon the parties hereto.

The parties hereto agree, effective as of the date of execution hereof, to join in applying to the said Legislature for the passing of the legislation contemplated by Sub-paragraphs (a), (b) and (c) of this Paragraph 11, and of the expense of obtaining such legislation the Company shall pay $100.00 thereof and the City shall pay the balance thereof (if any).

This Agreement and the provisions herein contained shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

In witness whereof the parties hereto have hereunto affixed their respective seals under the hands of their proper officers.

SIGNED, SEALED AND DELIVERED.

CHAPTER 101.

An Act respecting the Town of Hawkesbury.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Hawkesbury has by its petition represented that it has incurred a floating debt of $21,590 by reason of default in repayment to the said corporation of certain advances secured by mortgage and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding $22,500; and whereas the said corporation has also by its petition prayed for special legislation in respect of the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Hawkesbury Act, 1931.*

Debentures for floating debt.

2. The floating debt of the corporation of the town of Hawkesbury is consolidated at the sum of $21,590 and the said corporation may borrow by a special issue of debentures a sum not exceeding $22,500 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of the issue thereof and shall bear interest at a rate not exceeding five and one-half per centum per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner, and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

what

what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate to retire debentures.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of debenture proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt, and for no other purpose.

Assent of electors not necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat., c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10.—(1) All sales of land in the said town made prior to the 31st day of December, 1929, and which purport to be made by the said corporation or its treasurer for arrears of taxes in respect of lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said town, purporting to convey the said lands so sold to the purchaser or his heirs or assigns or to the said corporation are hereby validated and confirmed, and shall have the effect of vesting the lands so sold and conveyed, or purported to be sold and conveyed, and the same are hereby vested in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing since those for non-payment of which the said lands were sold. Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed. Pending litigation.

11. The provisions of this Act, other than section 10, shall come into force on the day upon which it receives the Royal Assent. Section 10 shall come into force on the 1st day of July, 1931. Commencement of Act.

CHAPTER

CHAPTER 102.

An Act respecting the Town of Kenora.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Kenora has by its petition prayed for special legislation to validate its by-law number 1027 and the guarantee thereunder by the said corporation of certain debentures to the amount of $30,000 of the Kenora General Hospital issued under its by-law number 5, payment of which debentures is secured by a charge on the property of the said hospital; and whereas the said issue of debentures and the said guarantee thereof were authorized by chapter 104 of the Statutes of Ontario, 1929, being an Act respecting the said town; and whereas by the said petition the said corporation has also prayed for special legislation to confirm the incorporation, powers and privileges of the said hospital which was originally incorporated under the name of the Rat Portage Royal Jubilee Hospital Company but the charter of which company has been lost, rendering it now impossible to ascertain or define the powers, privileges and obligations of the said hospital; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Kenora Act, 1931.*

Guaranty of debentures of hospital by corporation confirmed.

2. The guarantee by the corporation of the town of Kenora, pursuant to its by-law number 1027, of the debentures issued by the Kenora General Hospital is hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Hospital declared a valid and subsisting corporation.

3.—(1) The Kenora General Hospital is hereby declared to be now and since its incorporation in or about the year 1902 under the name of the Rat Portage Royal Jubilee Hospital Company at all times to have been a valid and subsisting corporation without share capital in accordance with the laws of the Province of Ontario, and the provisions of *The*

Companies Act and of all other Acts relating to or affecting corporations incorporated under the said Act shall apply thereto in the same manner and to the same extent as such provisions apply to any corporation incorporated under *The Companies Act.* Rev. Stat., c. 218.

(2) All property, real and personal belonging to or held in trust for the said hospital either under the name of the Rat Portage Royal Jubilee Hospital Company or under the name of the Kenora General Hospital is hereby vested in the said corporation subject to all liabilities, debts and obligations affecting the same or owing by the said company, and the said corporation shall satisfy, pay and discharge all such liabilities, debts and obligations. Vesting of hospital assets and payment of its liabilities.

(3) Nothing in this section contained shall in any way limit or affect the Act respecting the Town of Kenora passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 104, the provisions of which shall remain in full force and effect for the purposes of the said corporation. 1929, c. 104, not affected.

4. By-law number 5 of the Kenora General Hospital to borrow upon debentures of the said hospital for its purposes the sum of $30,000 is hereby declared to be legal, valid and binding on the said hospital, and all debentures issued or to be issued thereunder are hereby declared to be legal, valid and binding obligations of the said hospital and a charge upon the properties and assets of the said hospital. Hospital by-law and debentures confirmed.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 103.

An Act respecting the City of Kingston.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Kingston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Kingston Act, 1931.*

By-law No. 35 (1930) and debentures confirmed.

2. By-law number 35 (1930) of the corporation of the city of Kingston passed the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation the sum of $50,000 for the purchase of part of the broken front of lot number 16, in the first concession of the township of Kingston from the Cataraqui Golf and Country Club, Limited, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 39 (1930) and debentures confirmed.

3. By-law number 39 (1930) of the said corporation passed on the 22nd day of December, 1930, to provide for the raising by way of loan on the credit of the debentures of the said corporation of the sum of $67,000 for the purpose of consolidating certain floating indebtedness of the said corporation, and the debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement with Canadian Terminal System, Limited, confirmed

4. The agreement dated the 13th day of October, 1930, made between the said corporation and the Canadian Terminal System Limited set out in schedule "A" hereto is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

5.—(1) The lands described in schedule "B" now forming part of the township of Kingston are hereby detached therefrom and for all purposes are hereby annexed to and shall form part of the city of Kingston. Annexation of territory to city of Kingston.

(2) The provisions of *The Municipal Act* with respect to adjustment of assets and liabilities upon annexation of part of an adjacent township to a city shall apply, except that if such adjustment cannot be agreed upon the same shall be determined by the Ontario Railway and Municipal Board. Adjustment of assets and liabilities on annexation.

(3) The said Board shall have power to and may direct that the corporation of the said city shall pay to the corporation of the said township a yearly sum for the period of ten years from and including the year 1931 by way of allowance for loss of revenue from taxation by reason of the said annexation, such sum however to be based and calculated upon what reasonably might have been derived by the corporation of the said township if such annexation had not occurred. Yearly allowance to township for loss of taxes.

(4) The corporation of the said city shall pay to the corporation of the said township the amount, if any, so fixed by the said Board not later than the 1st day of September in each year.

6.—(1) All sales of land within the city of Kingston made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold. Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

7. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE

SCHEDULE "A"

MEMORANDUM OF AGREEMENT, made at the City of Toronto, this 13th day of October, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON, hereinafter called the "Corporation,"

of the first part;

—and—

THE CANADIAN TERMINAL SYSTEM, LIMITED, a Company duly incorporated and having its Head Office at the City of Montreal, in the Province of Quebec, hereinafter called the "Company,"

of the second part.

Whereas the parties desire to enter into an agreement whereby the Company undertakes to erect and operate a grain elevator and the Corporation undertakes to convey, or cause to procure to be conveyed, certain lands and lands covered by water to the Company if and as acquired, as a site for said elevator, and to grant or procure a fixed assessment thereon, subject to the terms and conditions hereinafter set out.

And whereas the Company agrees to construct a grain elevator upon certain parts of said lands or lands covered by water of a capacity of at least 2,500,000 bushels and the Corporation agrees to apply to the Legislative Assembly of the Province of Ontario for a special Act to provide for said fixed assessment and to authorize and validate this agreement.

Now therefore this indenture witnesseth that in consideration of the premises and the conditions, stipulations and covenants herein on the part of the parties severally contained, the said parties covenant, promise and agree each with the other of them as follows:—

1. The Company shall construct a transfer and storage elevator of modern design and substantial construction with a storage capacity of not less than 2,500,000 bushels of grain upon that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the first concession of the Township of Kingston, in the County of Frontenac, more particularly described in paragraph 5 hereof, on or before the first day of October, 1932.

2. The Company shall operate and maintain the said elevator for a period of at least ten (10) years immediately after completion, providing such operation and maintenance is not prevented by the intervention of an Act of God, vis major, fire, lightning, flood, tempest, explosion, or other cause beyond the reasonable anticipation or control of the Company.

3. The Company shall without any obligation to do any special act, or to incur any expense, allow access to the proposed elevator to all railways now or hereafter desirous of securing access thereto or egress therefrom for the purpose of carrying grain or other products to and from the same.

4. The Company shall render every assistance in its power to secure the annexation to the Corporation of the lands referred to in the within Agreement and such other lands as the Corporation may desire to have annexed to the City of Kingston.

5. Subject to such legislative authority and or approval, if any, as may be necessary, the Corporation shall and will transfer, or cause or procure to be transferred or granted to the Company, that part of the water lots for which application has been made by the Corporation to the Crown and fronting upon Lots 15 and 16 in the First Concession of the Township of Kingston, County of Frontenac, bordering upon Cataraqu Bay, which may be described as follows:—

All

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Township of Kingston, in the County of Frontenac, being composed of part of the land covered with water lying in front of Lots Numbers Fifteen and Sixteen (15 and 16) and the broken fronts thereof in the First Concession of the said Township, and which may be more particularly described as follows:—

Commencing at a point in the high water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled Road known as the Front Road, which point is distant westerly from the south-east angle of Lot Number Fifteen (15) approximately two hundred and sixty feet (260′); Thence southerly nineteen degrees and thirty minutes east (S. 19° 30′ E.) along the face of the site of the proposed elevator fourteen hundred and seventy-five feet (1475′), more or less, to the southerly face thereof; Thence north seventy degrees thirty minutes east (N. 70° 30′ E.) along the said southerly face one hundred and fifty feet more or less to the easterly face of the said site; Thence north nineteen degrees thirty minutes west (N. 19° 30′ W.) along the easterly face of the said site one thousand feet (1,000′) more or less to the north-westerly angle of the proposed dredged basin shown on the plan attached hereto as Basin 3; Thence north seventy degrees thirty minutes east (N. 70° 30′ E.) along the edge of the proposed basin one hundred and seventy-five feet (175′) more or less, to the high water mark of Cataraqui Bay an arm of Lake Ontario; Thence north-westerly along the said high water mark approximately five hundred and fifty feet (550′) more or less to the point of commencement; All of which is shown coloured Red on the plan attached hereto, prepared by D. S. Ellis, O.L.S.

A satisfactory Deed, grant or conveyance of said portion of said water lots shall be delivered to the Company when and so soon as the Company has duly executed this agreement and has furnished the bonds provided for the Paragraph 7 hereof. The Corporation further agrees to likewise transfer and convey, or cause or procure to be transferred and conveyed, to the Company the lands shown in Black on the said plan attached hereto and described as follows:—

Commencing at a point in the high-water mark of Cataraqui Bay, an arm of Lake Ontario, in the southerly side of the travelled road known as the Front Road, distant six hundred feet (600′) from the production of the easterly dock face of the elevator of the Kingston Elevator Company, such measurement to be made on a line north seventy degrees thirty minutes east (N. 70° 30′ E.) which point is distant westerly from the south-westerly angle of Farm Lot Number Fifteen (15) of the First Concession of the Township of Kingston, two hundred and sixty feet (260′) more or less;

Thence easterly along the southerly limit of the said travelled road eight hundred feet (800′) to a point;

Thence south nineteen degrees thirty minutes east (S. 19° 30′ E.) two hundred and thirty-five feet (235′) to the line produced of the northerly edge of the proposed basin Three (3), as shown on the plan of the site of the proposed elevator of The Canadian Terminal System Limited, prepared by D. S. Ellis, O.L.S., dated August 30th, 1930;

Thence south seventy degrees thirty minutes west (S. 70° 30′ W.) four hundred and forty feet (440′) more or less to the high-water mark of Cataraqui Bay.

Thence north-westerly along the said high-water mark five hundred and fifty feet (550′) more or less, to the point of commencement.

Provided a By-law to be submitted by the Corporation to the ratepayers of the Municipality under the provision of the *Municipal Act* for the purchase of certain lands is duly approved by the said ratepayers.

The Corporation further agrees to transfer and convey to the Crown in the right of the Dominion of Canada for dredging purposed for the proposed Elevator, such parts of said water lots as it may acquire, as are shown coloured green on the plan hereunto attached and marked.

Provided ,

Provided, however, that the Cataraqui Golf and Country Club, Limited (hereinafter referred to as the "Golf Club") shall have the right to use and occupation of those parts of said Lot Sixteen (16) now owned by said Golf Club until the first day of December, 1931, free of charge.

6. The Corporation shall provide or procure to be provided a railway siding from the present spur or siding of the Canadian National Railway to said elevator, and the Company shall enjoy the use of the said siding at all times free of charge.

7. The Company shall deposit with the Corporation and the Golf Club Sixty Thousand dollars ($60,000) par value Twenty Year First Mortgage (Leasehold) Sinking Fund Gold Bonds, Series A of National Utilities Corporation, Limited, the property of the Company, free of all liens and charges, duly endorsed by the Company to the Corporation and the Golf Club, as security for the due construction and completion of said Elevator, together with the necessary wharfage and dockage facilities for the proper operation and use of the same, in the event of the Corporation conveying or causing or procuring to be conveyed to the Company the lands coloured black on the plan attached hereto as provided for in Paragraph 5 hereof; and in the event of the failure of said Corporation to convey or cause or procure to be conveyed to the Company said lands as aforesaid, then, as security for the purchase by the said Company from the Golf Club of the lands mentioned in a certain Agreement between the said City and the said Golf Club bearing even date herewith in accordance in all respects with the provisions of said Agreement; such bonds to be deposited subject to all the terms, conditions and provisions particularly set forth in a Deposit Agreement, bearing even date herewith, between the Company, the Corporation and the said Golf Club.

8. The Corporation or its nominee shall have the right of free use of any railway siding now or hereafter constructed in common with the Company, upon entering into a satisfactory agreement in respect of such joint use.

9. The Corporation shall make application to the Legislative Assembly of the Province of Ontario at the next Session thereof for a special Act granting or making provision for granting a fixed assessment of the said elevator and the lands, trackage and docks connected therewith, including business assessment, for the period of ten years next following the First day of January after the completion of said elevator, at the sum of Fifty Thousand dollars ($50,000), (but this shall not apply to or affect taxation for school purposes or local improvements) and dispensing with all provisions requiring the submission of a By-law to the electors of said Corporation or any other Municipality for the purpose of so fixing said assessment. In the event of said assessment not being so fixed by Special Act, the Corporation will through its Council submit to the electors of the municipality and endeavour to secure the passage of a proper By-law under the provisions of the *Municipal Act* for the purpose of so fixing the said Assessment.

10. The Corporation shall also make application to the Legislative Assembly of the Province of Ontario at said next Session thereof for the enactment of provisions in said Special Act or in another Special Act, authorizing, validating and confirming this agreement and all the terms and provisions thereof and all things done and to be done pursuant thereto or in connection therewith.

11. The Corporation shall by its Council use every endeavour to give full effect to all the terms and provisions of this agreement and to secure the Legislative authority, sanction and approval herein provided for.

12. The agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors and assigns.

In witness whereof the parties hereto have hereunto affixed their Corporate Seals, that of the Corporation being attested by the hand of

the Mayor and City Clerk, and that of the Canadian Terminal System Limited by its President and Secretary-Treasurer duly authorized in that behalf.

(Signed)

THE MUNICIPAL CORPORATION OF THE CITY OF KINGSTON,

W. H. CRAIG,
Mayor.

W. W. SANDS,
City Clerk.

Witness
F. BOYCE
as to signature of Mayor and City Clerk.

THE CANADIAN TERMINAL SYSTEM, LIMITED,

H. I. PRICE,
Vice-President.

E. J. S. WALLWORK,
Secretary-Treasurer.

SCHEDULE "B"

All and singular that parcel of land and land covered with water now situate in the Township of Kingston, in the County of Frontenac described as follows:—

Commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced intersects the southerly limit of Concession 1 of said township, the said easterly face of dock being the easterly limit of the land annexed to the City of Kingston by *The City of Kingston Act, 1930,* thence south 19° 30′ east along the line of the face of the said dock to a point where the said line produced southerly would intersect the extension of the westerly production of the harbor line of the said city; thence easterly along the said westerly production of the said harbor line to a point where the said harbor line intersects the production southerly of the line between Lots Numbers 16 and 17 in the First Concession of the said township; thence northerly along the said line between said Lots 16 and 17 to the southerly limit of said first concession; thence westerly along the southerly limit of said first concession to the place of beginning.

CHAPTER 104.

An Act respecting the Town of LaSalle.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of LaSalle, has by its petition represented that it is desirable to confirm its by-laws numbered 135, 168 and 175, authorizing the construction of certain works as local improvements and the payment of the cost thereof by the issue of debentures and to confirm such debentures; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:—

Short title.

1. This Act may be cited as *The Town of LaSalle Act, 1931.*

By-law No. 135, confirmed.

2. By-law number 135 of the corporation of the town of LaSalle passed on the 14th day of May, 1929 to authorize the construction of sheet-piling on both sides and to clean out and improve the dredge-cut from a point opposite the westerly limit of lots 8 and 50 according to plan 621 to the westerly limit of plan 621 as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat c. 235.

By-law No. 168 confirmed.

3. By-law number 168 of the said corporation passed on the 10th day of November, 1930, to authorize the construction of raising the grade, sheet-piling and improving Wahnita Avenue from lot 24, plan 621 to the Detroit River as a local improvement under the provisions of *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Rev. Stat., c. 235.

By-law No. 175 and debentures confirmed.

4. By-law number 175 of the said corporation to provide for borrowing $42,244.06 upon debentures to pay for the construction of the said several works constructed under the authority of said by-laws numbers 135 and 168, and the debentures to be issued thereunder, are hereby ratified and con-

firmed

firmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 105.

An Act respecting the Town of Leamington.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Leamington has by its petition represented that having obtained the assent of the electors of the said town, it desires to adopt a system of municipal government by a smaller elective council, with authority to govern the method and date of election, number and tenure of office of the members of the said council, and to appoint and employ a town manager, having the management and control generally over the administrative affairs of the said corporation, to the extent and in the manner hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Leamington Act, 1931.*

Composition of council.

2. From and after the thirty-first day of December, 1931, the council of the corporation of the town of Leamington shall be formed of and comprise a total of seven members, composed of the mayor, as many reeves and deputy-reeves as the said town shall be entitled to under *The Municipal Act*, and enough councillors to make the total of seven members; all of whom shall be elected by general vote of the electors of the said town, and each of whom shall hold office for the term of two years and until his successor is elected and takes office.

Vacancies in council.

3.—(1) Subject to the provisions of subsection 2, where a vacancy occurs in the office of any member of council, the vacancy shall be filled in the same manner, *mutatis mutandis*, as is by section 165 of *The Municipal Act* provided for filling vacancies in the office of alderman in a city where aldermen are elected by general vote.

(2) Where a vacancy occurs in the office of mayor prior to the first day of May in the second year of the term for which he was elected a new election shall forthwith be held.

4.—(1) The council of the said corporation is authorized by by-law, to appoint a general administrative officer to be known as the town manager who shall have such general control and management of the administration of the government and affairs of the said corporation and perform such duties as the council shall by by-law define, limit and determine, and he shall be responsible for the efficient administration of all its departments to the extent that he shall be given authority and control over the same; and he shall hold office during the pleasure of the council and receive such salary as the council by by-law shall determine. Town manager appointment, powers and duties.

(2) Nothing in this section shall apply to the Hydro-Electric Commission of the said town. Hydro Commission not included.

5. Except as by this Act varied, altered or changed, *The Municipal Act* and all other Acts now applicable to the said corporation, its council or officers, shall be in full force and effect. Rev. Stat., c. 233 and other Acts to apply unless inconsistent.

6. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 106.

An Act respecting the Town of Listowel.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Listowel has by its petition represented that it has incurred a floating debt of $25,000 which has arisen, firstly, by reason of the fact that through the liquidation of a certain company the said corporation has been compelled to pay certain of its debentures amounting to $14,000, which should have been paid by the said company, and secondly, by reason of the said corporation having been obliged to meet and pay arrears to the amount of $11,000 upon loans made under the authority of *The Ontario Housing Act, 1919* and whereas the said corporation has represented that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to its ratepayers, and has prayed that power should be granted to consolidate the said debt and to issue debentures therefor in an amount not exceeding $25,000, payable within fifteen years after the issue thereof; and whereas it is expedient to grant the prayer of the said petition;

1919, c. 54.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Listowel Act, 1931.*

Floating debt consolidated.

2. The floating debt of the corporation of the town of Listowel is consolidated at the sum of $25,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding $25,000 for the purpose of paying the said floating debt.

Term of debentures, etc.

3. The said debentures shall be made payable in not more than fifteen years from the date of the issue thereof, and shall bear interest at a rate not exceeding five per centum per annum and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Payment on instalment plan.

4. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate.

5. The said corporation shall levy and collect in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds.

6. The said debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt of $25,000 and for no other purpose.

Assent of electors not required.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat., c. 233.

Irregularity in form not to invalidate

8. No irregularity in the form of the said debentures or any of them or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep proper books of account.

9. It shall be the duty of the treasurer for the time being, of the said town, to keep, and it shall be the duty of each of the members from time to time, of the council to procure such treasurer to keep and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time, be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which

shall

shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 107.

An Act respecting the City of London.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of London Act, 1931.*

Assessment and debentures for Chester St. sewer. Rev. Stat. c. 235.

2.—(1) The corporation of the city of London may pass a by-law to assess, and may assess, under the provisions of *The Local Improvement Act*, the lands in the township of Westminster, abutting on Chester Street, between Ridout Street and High Street, in which a sanitary sewer has been constructed under local improvement by-law number 7234, passed by the said corporation on the 27th day of November, 1923, for one-half of the cost of the construction of the said sanitary sewer or sum of $5,591.94, and such by-law and assessment shall be legal, valid and binding, and the by-law passed by the said corporation to provide for the issue of debentures to pay for the said local improvement work is hereby declared to be legal, valid and binding.

Special assessment roll and special rate.

(2) The council of the corporation of the city of London may, forthwith after the passing of this Act, procure to be made a special assessment roll of the land in the township of Westminster abutting upon Chester Street between Ridout Street and High Street; may hold the sittings of the Court of Revision for hearing complaints against the proposed special assessment of the said land, and shall have all the powers, and perform all the duties in respect of it which are provided for by *The Local Improvement Act*, in the same manner as if an agreement had been duly entered into between the said corporation

and

and the corporation of the township of Westminster, and had provided that the portion of the cost of the said the corporation of the township of Westminster should be included in the estimates of the year, and the by-law providing for the construction of the said sewer in Chester Street had been passed immediately after the passing of this Act, and may also pass a by-law to impose, and may impose, the special rates to defray the owners' portion of the cost upon the said land in the said township of Westminster, which may be liable therefor, as provided for by the said Act, and may make the said portion of the cost payable in twenty annual instalments from the date of the passing of the said last-mentioned by-law.

Housing Commission's power to improve houses.

3. The housing commission of the city of London may, with the consent of the council of the said corporation, by a two-thirds vote of the members thereof, from time to time, make or cause to be made improvements to any or all of the buildings owned by or mortgaged to the said commission, and may pay for the same out of any moneys which may be in the hands or under the control of the said commission, and all expenditures of money heretofore made by the said commission for the purposes aforesaid are hereby declared to be legal, valid and binding.

Aid to Parkwood Hospital.

4. The said corporation may pass a by-law to borrow, and may borrow, the sum of $30,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine, and may pay the proceeds of the sale of the said debentures to the Women's Christian Association of the city of London to assist the said association in erecting an addition to Parkwood Hospital in the said city, upon such terms and conditions as the said council may deem proper, without submitting the by-law to the electors qualified to vote on money by-laws for their assent, and the said corporation and the said association are hereby authorized to enter into an agreement to carry out the said terms and conditions.

Issue of debentures for Victoria hospital.

5. The said corporation may pass a by-law to borrow, and may borrow, the sum of $300,000, and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest, not exceeding five per cent. per annum as the said council may determine, and may apply the proceeds of the sale of the said debentures towards the cost of the construction or reconstruction of Victoria hospital in the said city, or additions or parts thereof, without submitting the by-law to the electors qualified to vote on money by-laws for their assent.

6.—(1) The said corporation may acquire by purchase the real property and plant of The London Rolling Mill Company, Limited, situate in the said city at a price not exceeding $50,000. Purchase of London Rolling Mill property.

(2) The said corporation may borrow a sum not exceeding $50,000 to purchase the said real property and plant mentioned in subsection 1 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per cent. per annum as the council of the said corporation may determine.

(3) The said corporation may, from time to time, lease the said real property and plant when acquired by the said corporation, for such periods and upon such terms and conditions as the said council may, from time to time, determine, and the said corporation may sell, assign and convey the said real property and plant when it sees fit so to do; provided, however, that the said real property and plant shall not be sold or leased except at a price or rental which may be determined by a judge of the county court of the county of Middlesex on an application to him for that purpose, as the fair market value, or fair rental value, as the case may be, of the said real property and plant, having regard to the price paid by the said corporation, including all carrying charges thereon.

(4) The said council may from time to time pass by-laws for any of the purposes mentioned in this section, and it shall not be necessary that the same be submitted to or receive the assent of the electors of the said city qualified to vote on money by-laws.

7. Notwithstanding anything contained in this Act or in any special Act heretofore or hereafter passed respecting the city of London, any debentures issued or to be issued under any by-law heretofore or hereafter passed by the corporation of the said city under the authority of any of said Acts may be sold at a discount, and any debentures heretofore sold at a discount are hereby validated. Sale of debentures at a discount.

8. The said corporation may, from time to time, set apart in the open portions of the market square in the said city, or any of them, spaces, and may rent the same, from time to time, to persons, firms or corporations who may be desirous of renting the same, for a period not exceeding one year at any one time, and at a reasonable rental to be fixed from time to time by the said council. Market spaces.

9. The public utilities commission of the city of London may, from time to time, with the consent of the council of Municipal golf course.

the

the said corporation, acquire by purchase, lease or otherwise, such land within ten miles of the said city as the said commission may deem necessary or expedient for use as a municipal golf course, and may make, maintain, operate and control a municipal golf course thereon.

Butchers licenses.

10. The said corporation may, from time to time, pass by-laws for licensing, regulating and governing butchers, dealers and other persons who sell meat wholesale and retail, and may fix the sum to be paid for the license, and the time for which it shall be in force, and may provide for enforcing payment of the license fee.

Rev. Stat. c. 233 not applicable to certain by-laws.

11. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 4 and 5 hereof, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularities not to invalidate.

12. No irregularity in the form of any of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon.

Commencement of Act.

13. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 108.

An Act respecting the Village of Marmora.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the village of Marmora has, by petition, represented that it has incurred a floating debt amounting to $12,000 which has accumulated over a period of years, and which has been created in part by inability to collect certain taxes a considerable portion of which is not now collectible, the payment of large amounts of interest and from other causes, and that it would be unduly oppressive to the ratepayers of said village to pay off the said floating debt forthwith and to pay in addition thereto the ordinary annual expenditures; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Village of Marmora Act, 1931.*

Debentures for floating debt.

2. The floating debt of the corporation of the village of Marmora is consolidated at the sum of $12,000 and the said corporation may pass a by-law to borrow by a special issue of debentures a sum not exceeding $12,000 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of

such

such amounts that the amounts payable for principal and interest in any year shall be equal as nearly as may be to the amount payable for principal and interest during each of the other years of the period within which the debt is to be discharged.

Special rate to retire debentures.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The said debentures and all monies arising from the sale thereof shall be applied by the said corporation in payment of the said floating debt and for no other purpose.

Assent of electors not necessary.

7. It shall not be necessary to obtain the assent of the electors of the said village qualified to vote on money by-laws to the passing of any by-law which may be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat. c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the payment of the said debentures or interest, or any part thereof, and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer for the time being, of the said village, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time, be realized from the sales or negotiations of the said debentures and the application which shall, from time to time be made of the said amounts; and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said village, and of any of the holders, from time to

time,

time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 109.

An Act respecting the Municipality of Neebing.

Assented to April 2nd, 1931.

Preamble

WHEREAS the corporation of the township of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the thirty-first day of December, 1929, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Neebing Act, 1931.*

Assessment rolls, etc., confirmed.

2.—(1) All assessment rolls of the corporation of the township of Neebing heretofore finally revised, all collectors' rolls for taxes of the said corporation heretofore returned by the collectors thereof, and all collectors' returns of said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain), and notwithstanding anything contained in any Act or Acts to the contrary.

Application of provisions of subsection 1.

(2) The provisions of subsection 1 shall apply and extend only to assessment rolls, collectors' rolls and collectors' returns revised, returned and made prior to the 1st day of January, 1930.

Tax sales and conveyances confirmed.

3.—(1) All sales of land within the township of Neebing made prior to the thirty-first day of December, 1929, which purport to have been made by the said corporation or its proper

officers

officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

4. Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commencement of Act.

5. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.

CHAPTER

CHAPTER 110.

An Act respecting the Town of New Toronto.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of New Toronto has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The Town of New Toronto Act, 1931.*

By-laws Nos. 807 and 839 and debentures confirmed.

2. By-law number 807 of the corporation of the town of New Toronto, passed on the 29th day of April, 1930, to authorize the acquisition of certain lands and the erection of a fire hall thereon, and by-law number 839 of the said corporation, passed on the 12th day of January, 1931, to authorize the borrowing of $20,000 upon debentures to pay for the said lands and fire hall, and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 840 and debentures confirmed.

3. By-law number 840 of the said corporation, passed on the 12th day of January, 1931, authorizing the borrowing of $5,000 upon debentures to pay for the cost of purchasing a site and establishing and erecting thereon municipal yards and stables, and all debentures issued or to be issued thereunder, are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement confirmed.

4. The agreement between the said corporation and the corporation of the town of Mimico bearing date the 8th day of December, 1930, set out in schedule "A" hereto, is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and upon all other persons whose rights may be affected hereby and the respective corporations are

hereby

hereby empowered to carry out the provisions of the said agreement as therein set out, notwithstanding any provisions of *The Local Improvement Act* to the contrary. The council of the corporation of the town of Mimico may by by-law declare the whole or any part of the cost of the storm sewer referred to therein to be payable by such corporation.

Rev. Stat., c. 235.

Cost of storm sewer,— how borne.

5.—(1) All sales of land within the town of New Toronto made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of New Toronto or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Pending litigation not affected.

6. The provisions of this Act other than section 5 shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on July 1st, 1931.

Commencement of Act.

SCHEDULE

SCHEDULE "A"

MEMORANDUM OF AGREEMENT made this 8th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE TOWN OF MIMICO,

of the first part;

—and—

THE CORPORATION OF THE TOWN OF NEW TORONTO,

of the second part:

Whereas Dwight Avenue, being a street thirty-two feet in width, and the one foot reserve immediately adjoining it on the west, form the boundary between the Town of Mimico and the Town of New Toronto and lie wholly within the limits of the Town of Mimico;

And whereas the parties hereto are desirous of widening Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from the existing easterly limit thereof, which street, as widened, will form the boundary between the Towns of Mimico and New Toronto and will lie one-half in each of the said towns;

And whereas the parties hereto are desirous of providing for the construction of local improvement works on the said Dwight Avenue as widened from the Lake Shore Road to Birmingham Street, as local improvements under the provisions of *The Local Improvement Act*;

And whereas the Town of Mimico have heretofore constructed a sanitary sewer on Dwight Avenue from the Lake Shore Road to Birmingham Street, a storm sewer from the corner of Dwight Avenue and Lake Shore Road along Sandy Beach Road to Lake Ontario, being thirty-six inches in diameter, which is of sufficient size to form an outlet for any storm sewer which may be constructed on Dwight Avenue.

Now this indenture witnesseth that in consideration of the covenants and conditions herein contained, the Parties hereto covenant and agree the one with the other as follows:

1. The Town of Mimico shall procure to be conveyed to them as part of Dwight Avenue the one foot reserve shown on Plan M-76 lying immediately to the west of Dwight Avenue between the Lake Shore Road and the north limits of Birmingham Street.

2. The Town of New Toronto shall procure to be conveyed or dedicated to them as part of Dwight Avenue the thirty-three feet immediately to the west of Dwight Avenue and the one foot reserve above referred to, required to widen Dwight Avenue from the Lake Shore Road to Birmingham Street to a width of sixty-six feet from its existing easterly limit.

3. Subject to any necessary approval of the Department of Health of the Province of Ontario to be first had and obtained, the Town of New Toronto may connect to the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue between the Lake Shore Road and Birmingham Street, any sanitary sewers serving premises on the west side of Dwight Avenue, as widened, between the Lake Shore Road and Birmingham Street.

4. Subject to the approval of the Department of Health of the Province of Ontario to be first had and obtained, there shall be constructed on Dwight Avenue, as widened, a storm sewer from Lake Shore Road to Birmingham Street which shall be connected with the storm sewer heretofore constructed by the Town of Mimico to the corner of Lake Shore Road and Dwight Avenue.

5. There shall be constructed on Dwight Avenue, as widened, a pavement from Lake Shore Road to Birmingham Street.

6. The Council of the Corporation of the Town of New Toronto shall initiate the works mentioned in the last two preceding paragraphs under the provisions of The Local Improvement Act, and the said works shall be undertaken and executed by the Corporation of the Town of New Toronto and under the superintendence and according to the directions and orders of their engineer.

7. The Corporation's portion of the cost of the construction of each of the works mentioned in paragraphs four and five hereof shall be apportioned between the Towns of Mimico and New Toronto, so that the amount paid by the owners assessed in the Town of Mimico, plus the Corporation's share borne by the Town of Mimico, shall be one-half the total cost and the amount paid by the owners assessed in the Town of New Toronto, plus the Corporation's share borne by the Town of New Toronto, shall be one-half of the total cost of the works and, notwithstanding any provision of the Local Improvement Act or any private Act, the owners assessed in each of the Municipalities shall bear such part of the cost as the council of that Municipality shall by a vote of three-fourths of all the members of the Council determine, and it shall not be necessary that the rate per foot frontage assessed against the lands fronting or abutting on the work shall be equal on both sides of the street.

8. In the construction of each of the works constructed pursuant to this agreement, one-half of the labour employed shall be from the Town of New Toronto and one-half from the Town of Mimico.

9. The Corporation of the Town of Mimico shall, before the work is initiated, notify the Corporation of the Town of New Toronto at what rate the owners abutting in the Town of Mimico are to be assessed.

10. Loans shall be effected from time to time to pay for the whole of the cost of each of the said works when completed and debentures shall be issued therefor by the corporation of the Town of New Toronto bearing interest at such rate as the Council may hereafter determine, and as to the loans for storm sewer, payable in thirty years, and as to loans for pavement payable in fifteen years, by instalments of such amounts respectively that the aggregate amount payable on each loan for principal and interest in any year shall be equal as nearly as may be to the amount so payable for principal and interest in each of the other years.

11. The Town of New Toronto, in carrying out the provisions of this agreement shall before undertaking the work obtain the approval of the Council of the Town of Mimico to plan and profile of the work to be undertaken and shall, after the work is completed, file with the Town of Mimico the plan and profile of the work showing all manholes, connections and outlets.

12. After each of the said works has been completed the Town of New Toronto shall also furnish to the Town of Mimico an itemized statement showing the total cost of the work.

13. The Town of New Toronto shall pay to the Town of Mimico one-half of the amount of the annual debenture payments heretofore made by the Town of Mimico on the debentures issued for the cost of the outlet storm sewer mentioned in clause 4 hereof from the corner of Lake Shore Road and Dwight Avenue along the Lake Shore Road and Sandy Beach Road to Lake Ontario, and the Town of New Toronto shall pay annually to the Town of Mimico one-half of the annual payments which shall hereafter fall due on the debentures for the said outlet storm sewer.

14. The Town of New Toronto shall pay annually to the Town of Mimico one-half of all annual payments which shall fall due after January 1st, 1931, on the debentures for the sanitary sewer heretofore constructed by the Town of Mimico on Dwight Avenue from the Lake Shore Road to Birmingham Street.

In

In witness whereof the Councils of the said Corporations have caused to be affixed the seals of the said Corporations and the hands of the Mayors and Clerks thereof.

SIGNED, SEALED AND DELIVERED:

In the presence of:

THE CORPORATION OF THE
TOWN OF MIMICO,

(*Seal of the Town of Mimico*).

R. WAITES, *Mayor*.
H. B. FOREMAN, *Clerk*.

THE CORPORATION OF THE
TOWN OF NEW TORONTO.

(*Seal of the Town of New Toronto.*)

WM. G. JACKSON, *Mayor*.
W. H. C. MILLARD, *Clerk*.

CHAPTER 111.

An Act respecting the City of Niagara Falls.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Niagara Falls has by its petition represented that it is desirable that the mayor of the said city should be elected annually notwithstanding the provisions of *The City of Niagara Falls Act, 1922;* that all sales of land for arrears of taxes made prior to 31st December, 1929, due to the said corporation, and all conveyances of lands so sold should be confirmed; that its by-law number 1731 to grant an annual retiring allowance to its former chief of police should be confirmed; that, without the assent of the electors, the said corporation may pass by-laws to borrow upon debentures the sum of $25,000 for the improvement of Poplar Park and Oakes Park in the said city; and that power be conferred upon it to pass by-laws to prevent the soliciting and importuning of tourists and others; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Niagara Falls Act, 1931.*

1922, c. 119, s. 3 amended.

Term of office of mayor.

2.—(1) Section 3 of *The City of Niagara Falls Act, 1922* (chapter 119), is amended by striking out the words "mayor and" in the eleventh and twelfth lines respectively of said section.

(2) Notwithstanding anything contained in said section 3 the mayor elected in 1930 for the year 1931 shall hold office for the term of one year only and until his successor is elected and takes office.

Tax sales and conveyance confirmed.

3.—(1) All sales of land within the said city made by the said corporation or its treasurer prior to the 31st day of December, 1929, purporting to be made for arrears of taxes

in

in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

By-law No. 1731 confirmed.

4. By-law number 1731 of the said corporation passed on the 20th day of May, 1929, to grant an annual retiring allowance to the former chief of police of the said city is confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Issue of debentures for improvement of certain parks.

5. The council of the said corporation may, without submitting the same for the assent of the electors of the said city qualified to vote on money by-laws, pass a by-law for borrowing the sum of $25,000, by the issue and sale of debentures payable at any time within twenty years for the purpose of grading, seeding, fencing, erecting grand stands and dressing rooms on and otherwise improving Poplar Park and Oakes Park in the said city, and any debentures issued under such by-law, if and when passed, shall be legal, valid, and binding upon said corporation and the ratepayers thereof.

Soliciting of tourists, etc.

6.—(1) The said council may pass by-laws for prohibiting any person from soliciting or importuning on a highway or in a public place any tourist, traveller or other person to travel in or employ any vessel or vehicle or to go to any hotel, boarding house or rooming house, or for regulating persons so employed.

Application of by-law.

(2) A by-law passed under the authority of this section may be made applicable only to one or more highways or public places named therein or to any defined area.

Saving as to authorized representatives of certain companies.

(3) No by-law passed under this section shall prevent or affect the solicitation of business by the authorized representatives

sentatives of any steam railway company or system or any of its subsidiaries.

Commencement of Act.

7. This Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on July 1st, 1931.

CHAPTER 112.

An Act respecting the City of North Bay.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of North Bay has by its petition represented that for upwards of thirty years there has been conducted in the said city a hospital known as the Queen Victoria Memorial Hospital and that to a considerable and increasing extent the financial burden of maintenance thereof falls upon the said corporation and in its interests and of the said hospital it is expedient that the said corporation should acquire, take over and operate the said hospital as a civic hospital and arrangements to that end have been made with the trustees of the said hospital to which the electors of the said city have assented; and, therefore, the said corporation has prayed that an Act be passed for such purpose; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of North Bay Act, 1931*

City of North Bay may acquire Queen Victoria Memorial Hospital and operate it as a civic hospital.

2. The Queen Victoria Memorial Hospital of the city of North Bay and the board of managers thereof are hereby authorized and empowered to transfer and convey to the corporation of the city of North Bay all the real and personal estate and property belonging to and held by the said Queen Victoria Memorial Hospital, including the hospital and nurses' home properties and all equipment and supplies in respect of the same, and the said corporation of the city of North Bay is hereby authorized and empowered to accept and hold such property and to operate and maintain the same as a Civic General Hospital, and the said Queen Victoria Memorial Hospital and the said corporation are each of them hereby authorized and empowered to enter into and to execute all proper conveyances and agreements for and in connection with the transfer and conveyance of the said properties and assets to the said corporation.

3.

3. The conduct and management of the affairs of the said hospital and of all said properties and assets shall be vested in a commission of five trustees to be known as "The North Bay Hospital Commission" to be composed as follows: Management of hospital by commission.

(*a*) Four members of the said commission appointed by the council of the said corporation at the first meeting of the said council next after the date when this Act shall come into force to hold office for the year 1931 and until their successors are appointed and thereafter annually and at the first meeting in each year of the said council. Vacancies from any cause in the appointed members of the commission shall be filled by the said council. Composition of commission.

(*b*) The mayor for the time being of the said corporation.

4. The said corporation in taking over the said property and assets of the said hospital shall assume the same subject to the payment by the said corporation of all liabilities and debts which are owing by the corporation of the said hospital or which in any way are secured upon or a charge against the said properties and assets and shall indemnify the corporation of the said hospital and its board of managers against such liabilities and debts. Assumption of hospital liabilities.

5. Subject to *The Public Hospitals Act, 1931*, the said corporation shall have the right and power to acquire such further real estate or other property or equipment as it may, from time to time consider necessary for the purpose of properly conducting the efficient operation of the said hospital, and to erect and maintain such buildings as may be necessary for such purposes. Power to acquire property. 1931, c. 78.

6. The said corporation may from time to time by by-law passed with the assent of the electors of the said city qualified to vote on money by-laws, in accordance with the provisions of *The Municipal Act*, borrow upon debentures of the corporation such sums of money as may be necessary for renewing, improving, enlarging or adding to the said hospital and the equipment thereof. Issues of debentures for improvements. Rev. Stat., c. 233.

7. The said corporation may invest in such authorized trustee securities as may be deemed advisable any or all moneys which may at any time come into their possession in connection with the said hospital or may deposit the same in any chartered bank or other financial institution authorized to accept such deposits. Investments.

8. The said corporation may in connection with the said hospital maintain and conduct a training school for nurses and may provide for the issue of certificates or diplomas to Nurses training school.

nurses

nurses educated therein and graduating therefrom, and generally to do all things necessary or usual to be done in the maintenance and operation of a general hospital, and to provide funds therefor by imposing rates on all rateable property within the said city.

Gifts, etc.
Rev. Stat., c. 132

9. Subject to *The Mortmain and Charitable Uses Act* the said corporation shall be capable of receiving and taking from the Crown and from any person or body corporate by grant, gift, advances or otherwise, any land or interest in land, or any goods, chattels, moneys or effects for the use, support or purposes of the hospital, and all persons or bodies corporate shall have full and unrestricted right to give, grant, advance and bequeath to the said corporation any land or interest in land or in goods, chattels, moneys or effects for use in connection with the construction, operation or maintenance of the said hospital.

Management powers of commission.
1931, c. 78.

10. Subject to *The Public Hospitals Act, 1931*, the said commission shall have the full conduct and management of the said hospital, with power to appoint and to remove at pleasure the secretary or bursar, the medical and other superintendents and their assistants and clerks and all other officers and servants, whom it may deem proper to engage for the purposes of the said hospital, and to fix the salaries and wages to be paid, and to regulate their privileges and duties, and to have the general control, direction and management of the said hospital, including the fees to be charged patients for accommodation in the said hospital, and of the expenditure of all moneys received or provided for the construction or improvement of the said hospital and for the operation and maintenance of the same; subject, however, to the said commission accounting to the council of the said corporation for all moneys received or paid out by the said commission and making a report to the said council of the work performed by the commission, such statements and reports to be furnished to the council at such time as the said council may require.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 113.

An Act respecting the Township of North Gwillimbury.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of North Gwillimbury has by its petition represented that it desires power to purchase a certain part of the right-of-way of The Hydro-Electric Power Commission of Ontario, formerly owned by the corporation of the city of Toronto and a certain gravel pit situate in the said township and to pay for the same and of the costs incidental thereto, in the year 1931, or in succeeding years, by the levy of a special rate sufficient therefor on all the rateable property in a certain defined area in the said township; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North Gwillimbury Act, 1931.*

Power to purchase right-of-way.

2. The corporation of the township of North Gwillimbury may, without the assent of the electors of the said township or of the area to be assessed under this Act, enter into an agreement to purchase from The Hydro-Electric Power Commission of Ontario, that part of its right-of-way formerly owned by the corporation of the city of Toronto extending from the southerly limit of lot 11 in the third concession of the said township to its intersection with the paved highway running north from the old village of Sutton through that part of the present incorporated village of Sutton known as Jackson's Point, a distance of approximately twelve miles, and also the gravel pit comprising 6.3 acres in lot number 23 in the second concession of the said township, at the price or sum of $3,000, subject to the rights of The Hydro-Electric Power Commission of Ontario to maintain and operate the transmission line and/or lines therein and thereon, and may pass such by-law or by-laws as may be necessary for the said purposes; provided that should any highway hereafter be

constructed

constructed on said right-of-way necessitating the removal of the said commission's transmission line or lines and poles from their present position near the centre of said right-of-way to or near either side so as to leave sufficient room for the building of such highway, or if for any other reason the said commission is requested by the said corporation to move its transmission line or lines or poles on said right-of-way, the council of the said corporation is hereby authorized and empowered to enter into an agreement with the said commission to protect and indemnify the said commission against any expenditure in connection with such necessary removal of such transmission lines and poles as aforesaid, and may, if necessary, pay to the said commission the cost of such removal as aforesaid.

Saving purchase rights of others prior to 1st May, 1931.

3. Nothing in section 2 contained shall prevent any other municipality or municipalities acquiring the said right-of-way from the said commission if the same is acquired for or in connection with the operation of an electric railway prior to the 1st day of May, 1931.

Assessment of special area.

4. The council of the said corporation may levy and collect, during the year 1931, by a special rate, in addition to all other rates, a sum sufficient to pay the said purchase price, and all other costs incidental to the said purchase, including any amount or amounts agreed to be paid or paid by the said corporation by way of indemnity under the provisions of section 2, and to the obtaining of authority therefor, on all the rateable property within the following area in the said township, namely, all that area of land lying between the said right-of-way and the shores of Lake Simcoe from the southerly limit of lot 12, in the third concession of the said township to the westerly limit of that part of the present incorporated village of Sutton, known as Jackson's Point; provided, that should any portion of the cost hereinbefore mentioned, be not paid or payable during the year 1931, by the said corporation, then the said council may levy and collect by a special rate, in addition to all other rates, a sum sufficient to pay for such portion on all the rateable property in the said area in the year in which such portion is paid or payable, or in the next succeeding year.

Rev. Stat., c. 238 to apply.

5. The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 114.

An Act respecting the Township of North York.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of North York has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of North York Act, 1931.*

Tax sales and conveyances confirmed.

2.—(1) All sales of land within the township of North York made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the township of North York or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns in fee simple, clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and clear of and free from all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Purchase of certain lands confirmed.

3.—(1) The purchase by the said corporation from The Trusts and Guarantee Company Limited, liquidator of the Toronto and York Radial Railways, of a portion of the North Toronto terminal of the Metropolitan Division of the said railways and being the lands described in schedule "A"

hereto

hereto is hereby ratified and confirmed and declared to be binding upon the said corporation and the ratepayers thereof.

Use for market, etc.

(2) The said corporation may use the said lands described in schedule "A" for market purposes and for such other municipal purposes as the council of the said corporation may determine.

By-law No. 1274 and debentures confirmed.

4. By-law number 1274 of the said corporation passed on the 26th day of January, 1931, and authorizing the borrowing of $50,000 upon debentures to pay the purchase price of the lands described in schedule "A" and to pay for the reconstruction of the buildings erected thereon is hereby ratified and confirmed and the said by-law and the debentures to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Application of revenues from lands purchased under s. 3.

5. The revenue derived by the said corporation from the said lands described in schedule "A" shall, after providing for the expenses and maintenance thereof, be paid over to the treasurer of the said corporation and shall be applied annually to the reduction or extinguishment of the rates required to be levied under said by-law number 1274 and, notwithstanding the provisions of the said by-law it shall not be necessary to levy any rate to provide for payments on account of the debentures authorized by such by-law except to the extent to which the revenues on hand are insufficient to meet the annual payments falling due on account of principal and interest of such debentures.

Municipal agreement as to railways confirmed.

6. The agreements made between the said corporation and the corporations of the townships of Markham and Vaughan, the city of Toronto, the village of Richmond Hill, and the county of York and the Toronto Transportation Commission, set out in schedules "B," "C" and "D" hereto, are hereby validated and confirmed and are hereby declared binding upon the parties thereto.

Rev. Stat. c. 233, s. 306 not to apply to rates for railway purposes.

7. The special rates levied annually on the rateable property in the village of Richmond Hill and on the rateable property in portions of the townships of North York, Markham and Vaughan to pay for the cost of acquiring and reconstructing the assets referred to in the agreement set out in schedule "C" hereto and to meet the cost of operating the electric railway referred to in the agreement set out in schedule "D" shall be deemed to be local improvement rates for the purpose of section 306 of *The Municipal Act* and no such rate shall be deemed to be included in the rate of two and a half cents in the dollar referred to in that section for the purpose of determining whether the councils of the said village and townships may contract further debts.

8.

Vesting of railway properties.

8. The property, real and personal, described in the agreement set out in schedule "C" is hereby vested in the corporations of the townships of North York, Markham and Vaughan, and the village of Richmond Hill in the proportions set out in the said agreement.

Yonge Street widening.

9.—(1) The said corporation may pass all necessary resolutions and by-laws authorizing the widening of Yonge Street from Old Yonge Street to 50th Avenue East in the said township by acquiring thirty-four feet of land lying immediately to the east of the east limit of the original sixty-six foot road allowance of Yonge Street, as a local improvement under the provisions of *The Local Improvement Act.*

Assessment of cost.

(2) The council of the said corporation in the by-law undertaking such work, shall provide that one-third of the cost of such work shall be borne by the said corporation and the remainder of such cost shall be specially assessed and levied on the lots fronting or abutting on both sides of the portion of Yonge Street so widened by an equal special rate per foot frontage.

By-law No. 1275 and debentures confirmed.

10. By-law number 1275 of the said corporation passed on the 26th day of January, 1931, authorizing the borrowing of $6,900 upon debentures to pay for the construction of a sewer on Brooke Street is hereby validated and confirmed and the said by-law and the debentures issued or to be issued thereunder are hereby declared to be binding upon the said corporation and the ratepayers thereof.

Assessment for cost of watermains in Water Area No. 1.

11.—(1) The council of the said corporation may in the by-law undertaking the construction of any watermain in water area number 1 in the said township, provide that a certain sum per foot frontage shall be specially assessed upon the land in said area fronting or abutting directly on the work and that the remainder of the cost of such watermain shall be borne by the said water area.

Minimum assessment for the area.

(2) The portion of the cost to be borne by the said water area shall not be less than that which under section 3 of by-law number 111 of the said corporation passed on the 14th day of January, 1924, is to be included in the said corporation's or area's portion of the cost.

Voting requirement.

(3) Any by-law passed pursuant to this section shall be passed by an affirmative vote of at least three-fourths of all the members of the council.

Hydrant rentals.

12.—(1) The council of the said corporation may by by-law impose upon any defined section or area in the said township

receiving

receiving a supply of water from water area number 1 a hydrant rental of twenty-five dollars per annum for each fire hydrant in such defined section or area and shall assess and levy the amount of such hydrant rental on all rateable property in such defined section or area of the township at the same time and in the same manner as other rates.

Application of hydrant rentals.

(2) The amount raised annually by the levying of such hydrant rental shall be used for the maintenance of the water supply system in said water area number 1.

1929, c. 110, s. 3, amended.

13. Subsection 6 of section 3 of *An Act respecting the Township of North York* passed in the nineteenth year of the reign of His Majesty King George the Fifth, chaptered 110 is repealed and the following substituted therefor:

Date and business of annual school meeting.

(6) The annual meeting of the electors as required by section 66 of *The Public Schools Act* shall be held at the time and place provided for in such Act and shall transact all business provided for thereby except the election of trustees.

Authority to amend By-law No. 714.

14.—(1) The council of the said corporation may by by-law amend by-law number 714 of the said corporation passed on the 21st day of January, 1929, by adding to the end of paragraph 2 of such by-law the following:

(*e*) the easterly forty (40) acres of the westerly half of lot 5 in concession 2 east of Yonge Street;

Additional lands rateable under said by-law.

(2) In the event of the said council passing a by-law pursuant to subsection 1 hereof the special rates and assessments levied to pay for the construction of the bridge authorized by said by-law number 714 shall be levied and assessed against the lands mentioned in subsection 1 hereof in addition to the lands against which such special rates and assessments are already levied and assessed.

Creation of Housing Commission confirmed.

15.—(1) By-law number 455 of the said corporation creating a housing commission for the said township is hereby ratified and confirmed.

Powers, etc., of Commission.

(2) The said housing commission and the officers and servants thereof may at any time exercise or perform any or all of the rights, powers or duties conferred or imposed upon the housing commission of the municipality of the township of York or its officers or servants by any agreement or agreements for the sale of lands assigned by the last-mentioned housing commission to the corporation of the township of North York pursuant to *The Housing Adjustment Act, 1927*.

1927, c. 74.

(3) All conveyances of land heretofore or hereafter executed by the housing commission of the township of North York are declared to be valid and binding and shall have the effect of vesting the lands so conveyed in the grantee and his heirs and assigns in fee simple. Conveyances validated.

16. The provisions of this Act other than sections 2 and 9 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931, and section 9 shall be deemed to have come into force on the 1st day of January, 1931. Commencement of Act.

SCHEDULE "A"

All and singular that certain parcel or tract of land and premises situate, lying and being in the township of North York in the county of York and Province of Ontario, being composed of part of township lot No. 8, in the first concession east of Yonge Street in the township of York, which said parcel consists of lots lettered C, D, E, H. J and M, and parts of lots lettered F, G, K and L, as shown on an unregistered plan of part of the lands described in instrument No. 889 North York; which said parcel may be more particularly known and described as follows: premising that the north 8 degrees 32 minutes west of Yonge Street governs bearings herein, then, beginning at the intersection of the production westerly of the northerly limit of Doncliffe Drive as shown on plan No. 1488 with the easterly limit of Yonge Street; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street seventy feet and seven and one-half inches to the point of commencement; thence north 8 degrees 32 minutes west, along the easterly limit of Yonge Street three hundred and fifty-three feet and one and one-half inches; thence north 74 degrees east, one hundred and twenty-five feet; thence south 8 degrees 32 minutes east two hundred and eighty-two feet and six inches; thence north 74 degrees east one hundred and thirty-two feet one and one-half inches to the westerly limit of Forest Glen Crescent as shown on plan No. 1975; thence southerly, along the said westerly limit of Forest Glen Crescent on a curve to the right, having a radius of four hundred and forty feet a distance of seventy-four feet and one inch more or less to an iron bar planted at the point of intersection with a line drawn parallel to the said northerly limit of Doncliffe Drive from the point of commencement; thence westerly two hundred and forty-two feet more or less to the point of commencement.

SCHEDULE "B"

THIS AGREEMENT made this 30th day of April, 1930, in pursuance of *The Township of North York Act, 1930.*

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK, hereinafter called the Party,

of the first part;

THE CORPORATION OF THE TOWNSHIP OF MARKHAM, hereinafter called the Party,

of the second part;

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN, hereinafter called the Party,

of the third part;

—and—

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL, hereinafter called the Party,

of the fourth part.

Whereas the parties hereto are desirous of purchasing from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railway lying south of the north limit of the Village of Richmond Hill pursuant to the provisions of *The Township of North York Act, 1930.*

And whereas the said *The Township of North York Act, 1930*, provides that the said parties shall enter into an Agreement with each other prescribing the proportions in which such parties shall bear all capital expenditures and all operating or other deficits which may arise from the operation of such railway.

Now therefore this Agreement witnesseth that in consideration of the premises, it is agreed by and between the parties hereto as follows:

1. The said parties hereto hereby agree with each other to purchase jointly from the Corporation of the City of Toronto that portion of the Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill at the price of Seventy-five Thousand ($75,000.00) Dollars pursuant to the provisions of *The Township of North York Act, 1930.*

2. The property to be acquired from the City of Toronto shall consist of the roadbed, bridges, trestles, culverts, fences, signs, tracks, poles and fixtures, distribution system, telephone and signal systems, including the restoration and construction of the block signal system from the north limit of the City of Toronto to the north limit of the Village of Richmond Hill, and shall also include the station property in the Village of Richmond Hill.

3. The cost of acquiring the said portion of the said Metropolitan Division of the Toronto and York Radial Railways and all capital expenditures and operating or other deficits in connection with the said Railway shall be borne by the parties hereto in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

4. The parties hereto shall own the property acquired from the City of Toronto pursuant to this agreement in the following proportions, namely:

The Corporation of the Township of North York fifty-five per cent.;

The Corporation of the Township of Markham eleven per cent.;

The Corporation of the Township of Vaughan eleven per cent.;

The Corporation of the Village of Richmond Hill twenty-three per cent.

5. In the event of the revenue from the said portion of the said Railway exceeding the operating costs the surplus revenue shall be divided amongst the parties hereto in the proportions in which such parties bear all capital expenditures.

6. The said Railway shall be operated by or on behalf of the said parties hereto for a period of fifteen years from the date of the acquisition thereof, but in the event of the amount required to be raised annually by any of the parties hereto for the payment of debentures and interest thereon and the payment of operating and other deficits being sufficient to require a special rate of eight mills on the dollar on the rateable property in the municipality or part thereof specially assessed to raise such amount, the Corporation concerned may apply to the Railway and Municipal Board for relief, and upon such application the Board may either provide that the operation of the said Railway be abandoned and the assets disposed of or may order a readjustment of the proportions in which the parties hereto shall bear all subsequent capital expenditures and operating or other deficits.

7. This agreement shall be subject to the approval of the Railway and Municipal Board.

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals under the hands of the proper officers in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,

JAS. MUIRHEAD,
Reeve.

H. D. GOODE,
Clerk.

[SEAL]

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

W. C. GOHN,
Reeve.

[SEAL]

G. A. M. DAVISON,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

[SEAL]

J. B. MCLEAN,
Clerk.

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

[SEAL]

A. J. HUME,
Clerk.

SCHEDULE

SCHEDULE "C"

THIS AGREEMENT made the 26th day of June, 1930.

In pursuance of *The Township of North York Act, 1930.*

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the party

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,
and THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the parties

of the second part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party

of the third part.

Whereas the party of the first part is the owner of an electric radial railway known as the Metropolitan Division of the Toronto and York Radial Railways extending from the northerly limits of the City of Toronto to the Village of Sutton.

And whereas the parties of the second part are desirous of purchasing from the said party of the first part that part of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas by *The Township of North York Act, 1930*, the said parties of the second part are authorized to purchase and the party of the first part is authorized to sell that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the northerly limit of the Village of Richmond Hill.

And whereas the said party of the first part has agreed to sell to the parties of the second part and the said parties of the second part have agreed to purchase from the party of the first part the said portion of the said Railway on the terms hereinafter set out.

And whereas the party of the third part consents to the sale of the said portion of the said Railway by the party of the first part to the parties of the second part and joins in this agreement for the purpose of giving such consent and waiving and releasing any rights which it may have to take over or purchase the said railway or any part thereof.

Now therefore this agreement witnesseth that it is agreed by and between the parties hereto as follows:—

1. The party of the first part hereby agrees to sell to the parties of the second part and the parties of the second part agree to purchase from the said party of the first part that portion of the Metropolitan Division of the Toronto and York Radial Railways lying on Yonge Street south of the north limit of the Village of Richmond Hill and more particularly described in Schedule "A" hereto for the price of Seventy-five Thousand ($75,000.00) Dollars.

2. The said sum of Seventy-five Thousand Dollars ($75,000.00) shall be paid by the parties of the second part in the following proportions, namely:—

(*a*) The Corporation of the Township of North York 55 per cent.;
(*b*) The Corporation of the Township of Markham 11 per cent.;
(*c*) The Corporation of the Township of Vaughan 11 per cent.;
(*d*) The Corporation of the Village of Richmond Hill 23 per cent.

3. Upon payment by the parties of the second part to the party of the first part of the said sum of Seventy-five Thousand Dollars ($75,000.00) as aforesaid the said party of the first part will convey to the parties of the second part that portion of the said Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of the Village of Richmond Hill and consisting of the real and personal property described in Schedule "A" hereto, free from all claims, liens, charges and encumbrances of any kind whatsoever, save for the bonds of the Hydro Electric Power Commission of Ontario to the amount of $1,875,000.00 hereinafter mentioned charged upon the said Metropolitan Division by *The Toronto Radial Railway Act, 1921*, and such conveyance or transfer shall vest such real and personal property (subject to the said bonds charged thereon) in the parties of the second part in the following proportions, namely:—

(*a*) The Corporation of the Township of North York 55 per cent.;
(*b*) The Corporation of the Township of Markham 11 per cent.;
(*c*) The Corporation of the Township of Vaughan 11 per cent.;
(*d*) The Corporation of the Village of Richmond Hill 23 per cent.

4. The party of the first part will from time to time pay to the Hydro Electric Power Commission of Ontario the amounts required by the said Commission to make the payments of principal and interest on the bonds hereinbefore mentioned to the amount of $1,875,000.00 charged upon the said Metropolitan Division as such payments respectively fall due, and will indemnify and save harmless the parties of the second part from all loss, claims, damages, costs, and charges of any kind whatsoever arising directly or indirectly out of a breach of this covenant in respect to the payment of the interest and principal of the said bonds.

5. The parties of the second part shall be entitled to possession of the said portion of the said Railway forthwith after payment of the said sum of Seventy-five Thousand Dollars ($75,000.00).

6. The party of the third part hereby consents to the sale of the real and personal property described in Schedule "A" hereto by the party of the first part to the parties of the second part and hereby waives and releases any right which the said party of the third part may have to take over or purchase the said Metropolitan Division of the Toronto and York Radial Railways or any part thereof or any property or assets of same.

7. And the parties of the second part hereby covenant with the party of the third part that in the event of the said party of the third part or any local municipality or municipalities in the County of York purchasing or acquiring the whole or any part of that portion of the said Metropolitan Division of the Toronto and York Radial Railway lying north of the north limit of the said Village of Richmond Hill or building and operating any new railway north of the said north limit of the said Village of Richmond Hill the said parties of the second part will grant to the said party of the third part or to such local municipality or municipalities such running rights over the portion of the said Metropolitan Division lying south of the north limit of the said Village of Richmond Hill as may be agreed upon and if not agreed upon as may be determined by the Ontario Railway and Municipal Board. Provided, however, that the party of the third part or such local municipality or municipalities shall pay to the parties of the second part the actual cost of operating the cars of the said party of the third part or of such local municipality or municipalities over the tracks and lines of the said parties of the second part and such actual cost shall, if not agreed upon, be determined by the Ontario Railway and Municipal Board.

8. The parties hereto agree to co-operate to secure the validation of this agreement by such legislation as may be necessary.

9. The party of the first part hereby agrees to and with the party of the third part that in order to give the local municipalities lying along the said Metropolitan Railway north of the said Village of Richmond Hill an opportunity of purchasing the said railway no part of the said railway lying north of the north limit of the said Village shall be dismantled before the 15th day of September, 1930.

In witness whereof the parties hereto have hereunto affixed their corporate seals under the hands of the proper officers in that behalf.

THE CORPORATION OF THE CITY OF TORONTO,

BERT S. WEMP,
Mayor.

[SEAL]

H. REBURN,
Deputy City Treasurer.

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK.

JAS. MUIRHEAD,
Reeve.

[SEAL]

H. D. GOODE,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

W. C. GOHN,
Reeve.

[SEAL]

G. A. M. DAVISON,
Clerk.

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

JAS. H. ROBSON,
Reeve.

[SEAL]

J. B. MCLEAN,
Clerk.

THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,

J. LUNAU,
Reeve.

[SEAL]

A. J. HUME,
Clerk.

THE CORPORATION OF THE COUNTY OF YORK,

E. G. FARR,
Warden.

[SEAL]

R. W. PHILLIPS,
Clerk.

Schedule

Schedule "A."

Metropolitan Division, Toronto and York Radial Railway, North City limits to North limit of Village of Richmond Hill.

The above section of the Metropolitan Division for the purpose of this Agreement shall consist of real estate, buildings, roadbed, bridges, culverts, signs, track, poles and fixtures, distribution system, telephone line, and the installation of a block signal system, the whole constituting a single track electrical railway with sidings, spurs and all necessary appurtenances, extending from 174 feet north of the northerly limit of the City of Toronto on Yonge Street to the northerly limits of the Village of Richmond Hill on Yonge Street, a distance of approximately 10.32 miles, and including certain real estate within the Village of Richmond Hill, all as set out more particularly in the following schedule.

Real Estate

Station property in Richmond Hill Village on the east side of Yonge Street, being part of Lots A and B, Plan 511, County of York, 58 feet by 137 feet.

Buildings

Thornhill Golf Club (Stop 17) Shelter on west side of Yonge Street, 12 feet by 8 feet galvanized.

Lot 40 (Stop 23) Shelter 10 feet 2 inches by 7 feet 11 inches, frame building on sills, shingle French roof.

Richmond Hill—Station and freight room, 33 feet 2½ inches by 22 feet 2½ inches, frame building shingle roof.

Roadway

Extending from a point on Yonge Street 174 feet north of the northerly City limits on Yonge Street to the north limits of Richmond Hill Village, a distance of approximately 10.32 miles, including bridges, trestles and culverts, track work with all turnouts and sidings, poles and fixtures, railway direct current power distribution system, with feeders, telephone system, block signal system and signs.

The foregoing items do not include conductors transmitting alternating current, nor cross-arms, pins, insulators, conductors, lighting equipment, transformers, switches, meters and other accessories used exclusively for the transmission, distribution or use of alternating current power, which were retained by the Hydro Electric Power Commission of Ontario or by the Municipalities under the Statute 17 Geo. V, Chapter 58, and also do not include the poles on Yonge Street between the north limit of the City of Toronto and York Mills Sub-station carrying 13 kilovolt circuits.

Furniture

Furniture and fixtures in the Richmond Hill Station and Freight House.

SCHEDULE "D"

THIS AGREEMENT made this 17th day of July, 1930.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF NORTH YORK,
THE CORPORATION OF THE TOWNSHIP OF MARKHAM,
THE CORPORATION OF THE TOWNSHIP OF VAUGHAN, and
THE CORPORATION OF THE VILLAGE OF RICHMOND HILL,
hereinafter called the "Corporations"

of the first part;

—and—

THE TORONTO TRANSPORTATION COMMISSION,
hereinafter called the "Commission"

of the second part.

Whereas by *The Township of North York Act, 1930*, the Corporations are granted certain powers to acquire that portion of the Railway known as Metropolitan Division of the Toronto and York Radial Railways lying south of the north limit of Richmond Hill and may enter into agreements with the Commission for the operation thereof.

And whereas by By-law No. 1051 of the Township of North York, By-law No. 950 of the Township of Markham, By-law No. 1265 of the Township of Vaughan, and By-law No. 397 of the Village of Richmond Hill, the Corporations have authorized the execution and delivery of this agreement.

And whereas the Commission has agreed to operate the said Railway for the Corporation on the terms and conditions hereinafter set out.

Now therefore this agreement witnesseth that the parties hereto have agreed as follows:—

1. The Commission will, provided the terms and conditions hereinafter set out are fulfilled by the Corporations, operate the electric railway lying on Yonge Street and extending from 174 feet north of the northerly limit of the City of Toronto on the east side of Yonge Street to the northerly limit of the Village of Richmond Hill, for and on behalf of the Corporations, provided however, that under no circumstances is the Commission or the Corporation of the City of Toronto to be at any cost or expense or to incur any liability by reason of such operation.

2. The transportation service to be furnished by the Commission shall be by a modern type of car capable of maintaining a satisfactory speed and giving adequate service.

3. The Commission shall have the sole management of the transportation service to be furnished hereunder and shall arrange for the cars, crews and necessary equipment, hours of service, running time, stops and everything else necessary or incidental to the said transportation system, including the maintenance of the said system.

4. The Corporations agree that during the term of this agreement they will take all means within their power to ensure to the Commission the exclusive rights of furnishing in any manner whatsoever, local transportation within the areas served by the said railway and that in particular they will pass and enforce such by-laws as they may legally pass to prevent the operation of busses or jitneys within such areas, and the Commission agrees that it will not, either itself or through any company or corporation which it directly or indirectly controls, operate any system of busses within the said areas so as to compete with the said Railway. It is understood that the carriage of passengers to and from points north of the south side of the cross roads at Elgin Mills, being the north limit of Lot No. 50, Concession 1, Townships of Vaughan and Markham, from or to points

within

within the area served by the railway, shall not be deemed competition within the meaning of this section.

5. All claims, or actions for alleged negligence in the operation of said railway shall be made against the Commission and dealt with by it and the Commission shall have, through its solicitor, the conduct and control of such claims and actions and of any action brought against the Corporations or any of them in respect of such alleged negligence and may defend or compromise the same as it seems expedient.

6. In respect of injuries and damages, the only amount chargeable by the Commission shall be the same annual cost per car mile as is from time to time incurred by the Commission in the operation of its system in and about the City of Toronto, in respect of such items, including therein administration and legal expenses.

7. As soon as practicable after the execution of this agreement the Commission shall, if it deems it necessary, construct a sub-station on a site approved by the Corporations and will endeavour to instal therein the two motor-generator sets at present in the Bond Lake sub-station of the said Metropolitan Division, and the said sub-station and generators shall be the property of the Corporations.

8. The Commission will endeavour to construct a sub-station and acquire and instal the motor generators referred to in Paragraph 7 hereof at a cost not exceeding $30,000.00, and such costs shall be borne by the Corporations in the following proportions, namely:—

The Corporation of the Township of North York 55 per cent.;
The Corporation of the Township of Markham 11 per cent.;
The Corporation of the Township of Vaughan 11 per cent.;
The Corporation of the Village of Richmond Hill 23 per cent.

9. It is understood and agreed that if the Commission finds that there is any possibility of the actual cost of the work referred to in Paragraphs 7 and 8 exceeding $30,000.00, the Commission will, before proceeding with such work, notify the Corporations and the Corporations may construct and equip such substation in a manner that will insure efficient operation of the said railway.

10. When any of the Corporations desire to do any work which may in any way affect the said Railway, it shall, except in cases of emergency, give the Commission reasonable notice thereof, and shall bear the full cost of repairing or replacing any part of such Railway injured or destroyed by the carrying out of such work.

11. The Commission may, by sweepers or otherwise, remove snow from its right-of-way and no portion of the cost of the removal of any snow save as aforesaid shall be charged against the operation of the railway.

12. The Commission may, with the consent of the Corporations or by order of the Ontario Railway and Municipal Board, make such capital expenditures as may be necessary to the efficient operation of the said railway.

13. After the close of each calendar year the Commission will prepare a report to the Corporations giving a complete certified financial statement of its operation of the said railway during the preceding year and such statement shall, if the Corporations or any of them so desire, be subject to an audit by one independent auditor to be agreed on by the Corporations and the Commission, or in case of dispute, to be selected by the Ontario Railway and Municipal Board.

14. The Treasurer of any of the Corporations or, with the approval of the Commission, any other qualified person authorized by the Council of any such Corporations in the place of the Treasurer, shall at all times during the currency of this agreement, have, on request, access to the books and vouchers of the Commission dealing with receipts or expenditures in connection with the services provided for hereunder, and the

Corporations shall once a year during the currency of this agreement, have the right to have one independent audit made of the books and vouchers of the Commission dealing with the operation of the said Railway, by an auditor as set out in Clause 13 hereof. In the event of the Corporations and the Commission being unable to agree upon an auditor the Ontario Railway and Municipal Board shall have power to select an auditor to make such audit.

15. Should the gross revenues exceed the cost of operation the Corporations shall receive the surplus revenue quarterly in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
The Corporation of the Township of Markham 11 per cent.;
The Corporation of the Township of Vaughan 11 per cent.;
The Corporation of the Village of Richmond Hill 23 per cent.

16. If for any reason the revenue from the said railway for a period of three consecutive calendar months shall be insufficient to meet the annual cost of operation and maintenance for such period the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
The Corporation of the Township of Markham 11 per cent.;
The Corporation of the Township of Vaughan 11 per cent.;
The Corporation of the Village of Richmond Hill 23 per cent.

17. The Commission is to be allowed the sum of seven per cent. of the gross total expenses of operation to reimburse it for its cost of administration and management in connection with the operation of the said Railway and such moneys shall be retained by the Commission for its own use.

18. The system of accounting to be used by the Commission shall be the classification of accounts for use of electric railways prescribed by the Interstate Commerce Commission of the United States, dated July 1st, 1914, and any further revisions thereof.

19. The Commission shall, subject to the approval of the Ontario Railway and Municipal Board, fix the tolls and fares to be charged on the said Railway and in so doing shall endeavour to fix such tolls and fares so that the revenue derived from the operation of such Railway shall be sufficient to meet the full operating cost thereof, including the amount required to meet all capital charges.

20. Subject to the provisions of Section 21 hereof, this agreement shall continue in force for a period of 15 years. Provided, however, that the Corporations may, upon first giving to the Commission at least six months' notice in writing of their intention to so do, terminate this agreement on the 17th day of July, 1935, or on the 17th day of July in any year thereafter.

21. It is understood and agreed by and between the Corporations and the Commission that if the Corporations cease to operate the said railway, either by their own officers, workmen and servants or by their operating agents before the expiration of 15 years from the date hereof, and the Commission, either on its own behalf or on behalf of any company or corporation controlled by it, applies to the Minister of Highways for the re-granting of the present permit held by the Gray Coach Lines Limited or a new permit to operate busses on Yonge Street in the area proposed to be served by the said railway, the Corporation will, if requested by the Commission so to do, consent in writing to the granting of such permit during such cessation of operation and will not give such consent to any other person or corporation, other than one of the Corporations herein applying for the aforesaid permit.

22. In the event of the Commission making any capital expenditures, such expenditures shall be borne by the said Corporations in the following proportions:—

The Corporation of the Township of North York 55 per cent.;
The Corporation of the Township of Markham 11 per cent.;
The Corporation of the Township of Vaughan 11 per cent.;
The Corporation of the Village of Richmond Hill 23 per cent.

and each of such Corporations agrees to pay its portion of such expenditure to the Commission forthwith after demand.

23. In the event of any application being made to the Ontario Railway and Municipal Board pursuant to an agreement between the Corporations dated April 30th, 1930, and the said Board ordering that the said Railway be abandoned, this agreement shall terminate on the date fixed by the said Board for the abandonment of the said railway and in the event of the said Board on any such application varying the proportions in which deficits and capital expenditures are to be borne by the said Corporations, the provisions of this agreement shall be deemed to be amended by the order of the said Board in so far as any amendment is necessary in order to give effect to such order.

24. The Corporations agree to furnish adequate street lighting on any section of Yonge Street where such lighting is necessary having regard to all local conditions, and in the event of any dispute arising as to the necessity for such street lighting the matters in dispute shall be referred to the Ontario Railway and Municipal Board and the decision of such Board shall be final and conclusive. The cost of such street lighting shall be borne by the municipality wherein the lighting aforesaid is required.

25. All agreements between the Corporation of the City of Toronto or the Toronto Transportation Commission and the Hydro Electric Power Commission of Ontario regarding the joint use of poles shall remain in full force and effect, and all moneys hereafter falling due under such agreements shall be collected by the Commission in accordance with such agreements and shall be credited to the railway operated for the Corporations.

26. The agreement between the Toronto Transportation Commission and the Corporation of the Village of Richmond Hill regarding the construction and maintenance of the pavement on Yonge Street in the Village of Richmond Hill shall remain in full force and effect.

27. The Corporations shall, upon the termination of this agreement, indemnify and save harmless the Commission from all claims, demands and obligations whatsoever in respect of the operation of the said railway by the Commission for the Corporations.

28. If for any reason the revenue from the street railway for a period of three consecutive calendar months shall be insufficient to meet the full costs for such period of the maintenance, repair and operation thereof, the Corporations shall pay to the Commission forthwith on demand the amount of any such deficiency in the proportions set out in Paragraph 16 hereof. Provided that in the event of the neglect of any of such Corporations to pay the proper proportion of such amount within thirty (30) days of such demand, the Commission may, without further notice, discontinue the operation of the said street railway and it and the other parties hereto may recover from the Corporation in default any damage sustained by reason of such default, but such discontinuance of operation shall not release any party from this agreement. And provided further, that the Corporations not in default, without prejudice to their rights under this agreement, may at their option pay the amount in default by the other Corporation and shall have the right to recover the amount of such payment from such Corporation in default.

29. The parties hereto agree to use their best endeavours to have this agreement ratified and confirmed by legislation at the next ensuing session of the Legislature of the Province of Ontario.

In

In witness whereof the parties hereto have hereunto caused to be affixed their corporate seals attested by the hands of their proper officers in that behalf.

THE TORONTO TRANSPORTATION COMMISSION,

(Sgd.) J. J. HUBBARD, *Chairman.*
(Sgd.) H. S. CAMERON, *Secretary.*

THE CORPORATION OF THE TOWNSHIP OF MARKHAM,

(Sgd.) W. C. GOHN, *Reeve.*
(Sgd.) G. A. M. DAVISON, *Clerk.*

TOWNSHIP OF NORTH YORK,

(Sgd.) GEORGE B. ELLIOTT,
First Deputy Reeve.
(Sgd.) H. D. GOODE, *Clerk.*

THE CORPORATION OF THE TOWNSHIP OF VAUGHAN,

(Sgd.) JAS. H. ROBSON, *Reeve.*
(Sgd.) J. B. MCLEAN, *Clerk.*

VILLAGE OF RICHMOND HILL,

(Sgd.) J. LUNAU, *Reeve.*
(Sgd.) A. J. HUME, *Clerk.*

CHAPTER

CHAPTER 115.

An Act respecting the Town of Orillia.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Orillia has by its petition represented that validation is required of certain by-laws, special assessment rolls and an agreement made between the said corporation and the corporation of the township of Orillia, all intended or purporting to be made under and pursuant to *The Local Improvement Act;* and that arising out of proposals for establishment under *The Power Commission Act* of rural power districts for areas in the townships of Mara, Rama and Orillia, it is desirable to have an agreement between the said corporation and the corporations of the said townships confirmed and other rights and obligations as to the supply of electrical energy or power by the said corporation in the said townships declared; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Orillia Act, 1931.*

By-laws and debentures for sewer mains, etc., confirmed.

2. By-laws numbers 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, of the corporation of the town of Orillia each providing for the borrowing of money upon debentures for the construction of the several sewer main extensions and private drain connections referred to in such by-laws and for the levying of special rates annually to meet the cost of same and by-law number 1044 of the said corporation consolidating the sums authorized to be borrowed under all said mentioned by-laws and by-law number 1048 of the said corporation to amend said by-law number 1044, and all debentures issued or to be issued thereunder are hereby validated and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the properties liable for any rate or assessment imposed by or under the authority of any of such by-laws.

3.

Special assessment rolls confirmed.

3. The several special assessment rolls of the said corporation made in respect of the said sewer main extensions and private drain connections to pay for which the moneys to be borrowed under the by-laws above mentioned are required and the special rates and assessments in each such roll provided for are hereby confirmed and declared to be valid and binding in the same manner and to the same extent as if all steps and proceedings required under *The Local Improvement Act* leading up to the making of such assessment rolls had been duly and regularly taken.

Rev. Stat. c. 235.

Agreement with township of Orillia confirmed.

4. The agreement between the said corporation and the corporation of the township of Orillia dated the ninth day of January, 1931, respecting a sewer main extension and private drain connections constructed on a portion of the Barrie Road, which forms part of the boundary between the said two municipalities is hereby declared to be valid and binding upon both of the said corporations and the ratepayers of each of them.

No obligation to supply electrical power in adjacent townships.

5. Save and except the rights and obligations arising out of the agreement referred to in section 7, it is declared that the corporation of the town of Orillia is not under any obligation to furnish or to continue to furnish a supply of electrical power or light to residents or other persons in any part of the townships of Mara, Rama and Orillia, or any of them, either indefinitely or at rates or prices limited by or based upon rates or prices charged to customers in the said town or at any special or limited rates or prices, and in so far as any such obligation may be deemed to subsist, the said corporation is released therefrom.

Rights of existing customers preserved.

6. Nothing in section 5 contained shall operate to release the said corporation or the Orillia Water, Light and Power Commission from fulfilment of the terms of existing individual contracts entered into directly and separately with individual customers in any of said townships for furnishing them with a supply of electrical power or light for the unexpired balance of the term of each of such individual contracts and at the rates or prices specified therein and until such contract has expired or been determined under the conditions thereof, and such fulfilment may be either by the said Commission or by arrangement made by it with The Hydro-Electric Power Commission of Ontario to furnish the supply through any rural power district undertaking established for areas in the said townships or any of them, so long as the rates or prices to be charged therefor do not exceed those provided for in said individual contracts while they remain in force.

Agreement with certain townships confirmed.

7. The agreement dated the 21st day of March, 1931, made between the said corporation and the corporations of

the

the said townships of Mara, Rama and Orillia setting forth the terms and conditions upon which the said corporation shall hereafter supply electrical power or light in parts of the said townships and otherwise settling the rights of the said respective corporations is hereby confirmed and declared to be legal, valid and binding upon all of the corporations parties thereto and upon the ratepayers of each of them respectively.

Commencement of Act.

8. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 116.

An Act respecting the City of Ottawa.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Ottawa has by its petition prayed that it should be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1931.*

Issue of debentures for waterworks purposes.

2. The corporation of the city of Ottawa may provide by by-law for an issue or issues of debentures payable within thirty years from their date and not exceeding the following amounts for the purposes specified,—

(*a*) $75,000 for the cost of constructing and extending watermains and water services;

(*b*) $60,000 for the purchase and installation of water pumps and equipment at the Queen Street pumping station;

(*c*) $15,000 for the purchase and installation of water meters.

Debt to be discharged from water rates.

3. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 2 of this Act, there shall be raised annually by the said corporation during their currency, with the authority conferred in, and by, an Act passed in the thirty-fifth year of the reign of Her late Majesty Queen Victoria, chaptered 80, and intituled *An Act for the construction of Waterworks for the City of Ottawa*, from the water rates, a sum sufficient to discharge the said debt and interest, when and as the same shall respectively become due, such sum to be in addition to the money required to be raised to meet the charges of maintenance and cost of

1871-2, c. 80.

renewals

renewals in connection with the said waterworks, and for the payment of the principal and interest of all debts heretofore contracted for the purposes of the said waterworks, but if at any time, the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon the assessable property of the said corporation, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency.

Issue of 20-year debentures for specified purposes.

4. The said corporation may provide by by-law for an issue or issues of debentures payable within twenty years from their date, and not exceeding the following amounts for the purposes specified,—

(*a*) $300,000 to provide for the completion of certain storm sewers;

(*b*) $50,000 to provide for altering, enlarging, equipping and furnishing the buildings of the Royal Ottawa Sanatorium;

(*c*) $100,000 to provide for constructing and equipping a garbage incinerator;

(*d*) $20,000 to provide for a donation to the Union Mission for Men to be applied in constructing an addition to its buildings;

(*e*) $65,000 to provide for the discount on the sale of debentures authorized by by-laws numbers 6882, 6922, 7004, 6921, 6835, 6926 and 6629;

(*f*) $35,000 to provide for improving and altering the Grand Stand Building at Lansdowne Park, and for improvements to the tourists' camp.

(*g*) $250,000 to provide for the cost of repairs to the main sewers of the corporation rendered necessary by sewer explosions.

Issue of 10-year debentures for specified purposes.

5. The said corporation may provide by by-law for an issue or issues of debentures payable within ten years from their date and not exceeding the following amounts for the purposes specified,—

(*a*) $10,000 to provide for a contribution by the said corporation towards the cost of widening, improving and paving Beechwood Avenue between the easterly limit of the said city and the Beechwood Cemetery;

(*b*) $300,000 to fund the floating obligations of the said corporation;

Assent of electors not required.

6.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws, to the passing of any of the money by-laws authorized by sections 2, 4 and 5 of this Act, or to observe in respect thereto the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Rev. Stat., c. 233.

Rate of interest.

(2) Debentures issued under the provisions of any of the said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine, and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act.*

Rev. Stat., c. 233.

Irregularity in form not to invalidate.

(3) No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Consolidation of debenture issues.

7. The said corporation instead of borrowing, by separate money by-laws, the sums authorized by sections 4 and 5 of this Act, may consolidate any two or more of such borrowings of like maturity and issue one series of debentures therefor; provided that each such consolidating by-law shall show by recitals or otherwise, the separate sums which make up the total borrowing, and the purposes for which such sums are to be expended.

Aid for winter carnival.

8.—(1) The said corporation may grant out of its current revenues in the year 1931 and thereafter a sum not exceeding $5,000 in any year as a contribution towards the cost of holding a winter carnival.

Aid for certain purposes beneficial to inhabitants.

(2) The said corporation may grant annually in the year 1931 and thereafter out of its current revenues such sum or sums of money not exceeding in the aggregate $4,000 in any year in aid of such institutions, associations and persons carrying on or engaged in works which in the opinion of the council of the said corporation, expressed by resolution, are for the general advantage of the inhabitants of the said city, but in respect of which no express authority to grant aid is conferred by *The Municipal Act.*

Rev. Stat., c. 233.

Tax sales and conveyances confirmed.

9.—(1) All sales of land within the city of Ottawa made by the treasurer thereof prior to the 31st day of December, 1929, purporting to be made for arrears of taxes due in respect

to

to the lands so sold are validated and confirmed and all conveyances of such lands so sold heretofore or hereafter executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands to the purchaser thereof, or to his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation, its successors and assigns, as the case may be, in fee simple, and clear of and free from all right, title, interest and claim whatsoever of the former owners thereof at the time of such sale, and their assigns, and of and from all mortgages, charges, liens and encumbrances thereon and dower therein except taxes accruing after those for the non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Grant to Andrew F. Macallum.

10. Notwithstanding anything to the contrary contained in *The Municipal Act*, the said corporation may grant out of its current revenues for the year 1931 to Andrew F. Macallum, former Commissioner of Works of the said corporation, a retiring allowance equivalent to one year's salary.

Rev. Stat., c. 233.

Commencement of Act.

11. The provisions of this Act, other than section 9, shall come into force on the day upon which it receives the Royal Assent. Section 9 shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 117.

An Act respecting the Town of Penetanguishene.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Penetanguishene has by its petition represented that it is desirable that its by-law number 739 passed with the assent of the electors of the said town qualified to vote on money by-laws and an agreement bearing date the 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, authorizing a loan by the said corporation of $50,000 to the said company and the issue of debentures by the said corporation for such purpose be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Penetanguishene Act, 1931.*

By-law and agreement confirmed.

2. Subject to the provisions of this Act, by-law number 739 of the corporation of the town of Penetanguishene, and the agreement dated 31st day of March, 1930, between the said corporation and The Dominion Stove and Foundry Company, Limited, which agreement is set forth in schedule "A" hereto, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon the said company, its successors and assigns.

Title to land and stock.

3. The said corporation shall retain title to the lands occupied by the buildings of the said company and shall retain $25,000 of capital stock of the said company which it now holds, and all its rights thereunder, until the expiration of the term of the said agreement and of the debentures issued or to be issued under the said by-law.

Debentures confirmed.

4. The debentures issued or to be issued under the provisions of the said by-law are hereby ratified and confirmed and

declared

declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE "A"

Memorandum of Agreement made this 31st day of March, A.D. 1930.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF PENETANGUISHENE, hereinafter called the Corporation,

of the first part;

—and—

THE DOMINION STOVE AND FOUNDRY COMPANY, LIMITED, hereinafter called the Company,

of the second part.

Whereas the Corporation is the owner in fee simple of Lots 110, 111, 112 and 113, West of Fox Street in the said Town, Plan No. 70, upon which are erected the buildings of the Company;

And whereas the Corporation under authority of its By-laws has made advances to the Company for erection of its buildings and the Debentures of the Corporation issued to make such advances are not yet fully matured;

And whereas a very considerable portion of the works of the Company were destroyed by a fire which occurred on March 7th, 1930;

And whereas the Company's business, prior to the said fire, had increased to such an extent as to make it necessary to build and equip further buildings for the carrying on of its business.

And whereas the said Company gives employment to a large number of citizens of this Corporation;

And whereas the Corporation, for the protection of its interest in the Company and that the Company may continue to provide such employment, desires that the said works of the Company should be restored and that such new buildings and equipment as required should be procured, and is willing to make further advances for the said purposes to the Company upon such security and upon such terms and conditions as hereinafter set forth;

And whereas the value of the buildings and fixed assets of the Company is the sum of $360,000.00;

Now, This Indenture Witnesseth that in consideration of the premises and the stipulations and covenants herein on the part of the said parties severally contained, the said parties hereby covenant, promise and agree each with the other of them, as follows:

(1) The Corporation shall advance and pay over to the Company such amount as may be required for erection and equipment of such buildings as are necessary, but the total amount so advanced shall not exceed the sum of $50,000, and shall be used for the said purposes and for no other purpose.

(2) The Company agrees to repay to the Corporation the amount of the said loan, together with interest, in annual instalments at the same time and as nearly as may be in the same manner and at the same rate of interest as the moneys secured by the Debentures issued by the Corporation to secure the funds necessary to pay the said loan to the Company, are payable.

(3) The Company, as security to the Corporation for the payment to the Corporation of the said sums, shall execute and deliver to the Corporation a first mortgage upon all the buildings and fixed assets of the Company, or bonds secured by all the said buildings and fixed assets of the Company.

(4) The Company agrees to insure and keep insured during the term of this Agreement its said buildings, at their proper insurable value, with loss payable to the Corporation as its interest may appear.

(5) The Debentures to be issued by the Corporation shall run for a period of ten years and shall bear interest at a rate not greater than 5½% and shall be repayable in equal instalments of principal and interest.

(6) The Company agrees to maintain and operate and keep in repair its buildings during the said term of the said debentures and until the said loan shall be fully repaid.

(7) The title to the said lands shall remain in the name of the Corporation, and the Deed of the same shall not be given to the Company, until the said term of this agreement shall have matured, but when the said loan and former advances as above mentioned shall be fully repaid, the Company shall be entitled to and shall be given a Deed of the said lands free of all encumbrance.

(8) The Capital Stock to the amount of $25,000 which the Corporation now holds, issued to the Corporation under Agreement with the Company confirmed by By-law No. 435 of the Corporation, shall not be re-assigned to the Company until the expiration of the term created under this Agreement, and all the rights of the Corporation in connection with the said stock as set forth in the said Agreement are hereby preserved, and shall remain in full force and effect during the said term.

(9) The Corporation by its Council, as soon as possible, shall submit to the electors of the Municipality, under the provisions of *The Municipal Act*, a by-law authorizing the said loan and the issue of the debentures to pay for same.

(10) In case the said by-law is assented to by the electors, the Corporation by its Council shall pass the said by-law, and in case the said by-law, on submission shall not receive the assent of the electors as provided by *The Municipal Act*, then this agreement and the said by-law shall be null and void and of no effect.

(11) The Corporation agrees to apply to the Legislature for a Special Act authorizing and confirming the said By-law and Agreement.

(12) The Company agrees to pay charges for the preparation of this agreement and the said by-law and for the preparation of debentures, brokerage charges, cost of submission of by-law, cost of special Act validating same and other necessary expenditures incidental thereto.

(13) All of the proceeds of the debentures issued by the Corporation to provide for this said loan shall be paid to the Company, but if the debentures shall be sold for less than par value, only the proceeds of same shall be so paid over, and no further amount.

In

In witness whereof the Parties hereto have hereunto affixed their respective Corporate Seals and the hands of their respective proper officers.

SIGNED, SEALED AND DELIVERED
In the presence of:

(Signed) J. B. JENNINGS,
(Corporate Seal) *Mayor.*

(Signed) W. H. HEWSON,
Clerk.

(Signed) S. M. MARSHALL,
(Corporate Seal) *President.*

(Signed) C. P. GRADY,
Secretary.

CHAPTER

CHAPTER 118.

An Act respecting the City of Port Arthur.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Port Arthur has by petition represented that under the provisions of its by-law numbered 1827 and with the assent of the electors of the said city qualified to vote on money by-laws, it has entered into an agreement with Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, to grant a fixed assessment for the lands and premises of the said company upon the terms and conditions more fully set out in the said agreement, and it is desirable that the said by-law and agreement should be validated; and whereas the said corporation has further represented that by reason of the great increase in the cost of construction of sewers it is desirable and reasonable that the special rate of one dollar per foot frontage chargeable in respect of such sewers under the provisions of section 20 of the Statutes of Ontario, 1903, chapter 76, being an Act respecting the said corporation, should be increased to two dollars per foot frontage; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Port Arthur Act, 1931.*

By-law No. 1827 and agreement with Port Arthur Shipbuilding Company, Limited, confirmed.

2. By-law number 1827 of the corporation of the city of Port Arthur intituled "A by-law to authorize an agreement between the City and the Port Arthur Shipbuilding Company, Limited," and the agreement made between the said corporation and the said Port Arthur Shipbuilding Company, Limited, dated the 28th day of February, 1927, which agreement is set out in schedule "A" are confirmed and declared to be

legal

legal, valid and binding on the said corporation and the ratepayers thereof and on the said company, its successors and assigns.

3. Subsection 1 of section 20 of the Act respecting the town of Port Arthur, passed in the third year of the reign of His Majesty King Edward the Seventh, chaptered 76, is amended by striking out the words "one dollar" in the eighth line thereof and inserting in lieu thereof the words "two dollars." 1903, c. 76, s. 20, subs. 1, amended.

4. The provisions of this Act other than section 3 shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931. Commencement of Act.

SCHEDULE "A"

Agreement made in duplicate this 28th day of February, 1927.

BETWEEN:

PORT ARTHUR SHIPBUILDING COMPANY, LIMITED, hereinafter called the "Company,"

of the first part,

—and—

THE MUNICIPAL CORPORATION OF THE CITY OF PORT ARTHUR, hereinafter called the "City,"

of the second part.

Whereas the Company was incorporated for the purpose of carrying on a Dry Dock and Shipbuilding business in the City of Port Arthur and commenced business in the year 1916, succeeding the Western Dry Dock and Shipbuilding Company, Limited, which Company commenced business about the year 1911, and has been carrying on business continuously since that time; the two companies having paid out in wages about $10,000,000 since commencing business.

And whereas after the cessation of the war, the business of shipbuilding practically ceased, and the business of ship repairing has not been sufficient to keep the Company's plant in continuous operation.

And whereas when this condition arose, in order to prevent the closing down of its plant, the Company began the development of departments for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers;

And whereas the Company has already expended about $200,000 in the development of the said new industries and it is estimated that a further sum of $300,000 will be required to complete said development;

And whereas in operating its said plant, the Company is handicapped in competing with eastern manufacturers, owing to the difficulty and expense in securing skilled workmen and other help on the recurring

occasions

occasions that fluctuations in volume of work require acquisition of such workmen and other skilled help and by higher average freight rate, and it is difficult to secure new capital as the Company has not been able to operate at a profit for some years;

And whereas the development of a plant for the manufacture of pulp and paper-mill machinery and commercial heating and power boilers will be of great benefit to the City of Port Arthur and would ensure the continuous operation of the Company's plant as a whole;

And whereas for the purpose of assisting the Company in securing new capital and in continuing to operate, the Company has requested the city to fix its assessment for general tax purposes, for the years 1930 to 1939, both inclusive, and the City has agreed to fix the Company's assessment for general tax purposes at One Hundred and Twenty-five Thousand Dollars ($125,000) per annum, and in consideration thereof, the Company has agreed to execute this agreement.

Now this Agreement witnesseth that the parties hereto agree the one with the other as follows:

1. Subject to the terms of paragraph 2 hereof, the annual municipal assessment, including the business assessment, of the lands and premises and all other property and buildings of the Company, now or hereafter constructed, used or enjoyed by the Company, in connection therewith from time to time, situate within the City of Port Arthur, shall be, and the same is hereby fixed at the sum of One Hundred and Twenty-five Thousand Dollars ($125,000) for the years 1930 to 1939, both inclusive.

2. Nothing in this agreement contained shall apply to or affect taxation for school purposes or local improvement rates.

3. The company, in consideration of the granting of such fixed assessment, agrees that its payroll during the said years 1930 to 1939 shall average at least Two Hundred Thousand Dollars ($200,000) per annum, and that it will at the end of each year furnish to the City a statement, verified by some official of the Company, showing the amount of its payroll for such year. Provided, however, that should the Company's payroll in any one or more years during the first five (5) years of said ten (10) year period fall below the said sum of Two Hundred Thousand Dollars ($200,000) the Company shall not thereby be deemed to be in default hereunder, if the total amount of said payroll amounts to $1,000,000 for such five-year period, and in the same way, if the Company's payroll amounts to $1,000,000 for the second five years of said ten-year period, the Company shall not be deemed to be in default hereunder, even though in any one or more years of said second five years the Company's payroll is less than $200,000. Provided also that if by reason of fire, floods, storms or other Act of God, the Company is prevented from operating at any time during the said period, it shall not be deemed to be in default hereunder, providing it resumes operations within a reasonable time, and due allowance shall be made for non-payment of payroll during such stoppage.

4. At the expiration of the first five years of said period of fixed assessment, an account shall be taken of the payroll of the Company for said five years, and if the Company is found to be in default hereunder for said period, the City may, at its option, cancel this agreement, and the said fixed assessment shall, on such cancellation, cease and determine. At the expiration of the second five years of said period of fixed assessment, a similar account shall be taken, and if such annual payroll for the whole period of said fixed assessment has not averaged at least $200,000 per year (subject to the proviso in the last paragraph mentioned as to Acts of God) the Company, and its property may, at the City's option, be declared liable to full assessment and taxation for the whole of said second period of five years.

5. This agreement shall enure to the benefit of and be binding upon the Company's successors and assigns.

6. This agreement is subject to the approval of the electors of the City of Port Arthur, entitled to vote thereon, and the City agrees to submit

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the same to the vote of such electors as soon as possible hereafter, and will further submit the same, and any by-law passed for such fixed assessment and the carrying out by the City of the terms of this agreement, to the Legislature of the Province of Ontario for validation at its next session and the Company shall pay the expenses of said vote and validation.

In witness whereof the parties hereto have caused these presents to be signed by their proper officers, and their Corporate Seals to be attached.

SIGNED, SEALED AND DELIVERED,

In the presence of:

A. R. IRVINE.

E. P. SERVAIS.

PORT ARTHUR SHIPBUILDING CO., LIMITED.

By (Sgd.) J. R. SMITH, *President.*
(Sgd.) A. B. CONMEE, *Secretary.*

MUNICIPAL CORPORATION OF THE CITY OF PORT ARTHUR.

By (Sgd.) MILTON FRANCIS, *Mayor.*
(Sgd.) T. F. MILNE, *Clerk.*

CHAPTER

CHAPTER 119.

An Act respecting the Town of Renfrew.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Renfrew has by its petition represented that it has incurred a floating debt of $65,000 which has arisen by reason of insufficient levies for a number of years past to pay for permanent improvements such as the construction of permanent roadways, the repairs and improvements to municipal buildings and other unforeseen expenditures, and that to liquidate the said floating indebtedness forthwith and to pay in addition thereto the ordinary annual expenditures would be unduly oppressive to the ratepayers of said town; and whereas the said corporation has prayed that the said floating debt be consolidated and that the said corporation be authorized to borrow by the issue of debentures sufficient money to discharge said floating debt; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Renfrew Act, 1931.*

Debentures for floating debt.

2. The floating debt of the corporation of the town of Renfrew is consolidated at the sum of $65,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding $65,000 for the purpose of paying the said floating debt.

Term of debentures.

3. The said debentures shall be made payable in not more than fifteen years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Type of debentures.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to

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the amount payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

Special rate to retire debentures.

5. The said corporation shall levy and collect in each year during the period in which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures.

Application of proceeds of debentures.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose.

Assent of electors not necessary.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Rev. Stat. c. 233.

Irregularities not to invalidate.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep books.

9. It shall be the duty of the treasurer, for the time being, of the said town, to keep, and it shall be the duty of each of the members, from time to time, of the council to procure such treasurer to keep, and see that he does keep, a proper book of account, setting forth a full and particular statement, so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts, payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall, from time to time be realized from the sales or negotiations of the said debentures, and the application which shall, from time to time, be made of the said amounts and the said book of account and statement shall at all times, and at all reasonable hours, be open to the inspection of any ratepayer of the said town, and of any of the holders, from time to time, of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Commencement of Act.

10. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 120.

An Act respecting the Town of Riverside.

Assented to April 2nd, 1931.

Preamble. WHEREAS the corporation of the town of Riverside has by its petition represented that it has incurred a floating debt of approximately $516,437.11, which has accumulated over a period of years by reason of insufficient collection of taxes imposed in respect of permanent improvements and the ordinary and usual obligations and requirements of the municipality and by reason of certain unforeseen and uncontrollable expenditures imposed upon the municipality, and that to liquidate the said floating indebtedness forthwith in addition to meeting the ordinary annual expenditures would be unduly oppressive to the ratepayers, and has prayed that power should be granted to consolidate the said floating debt and to issue and sell debentures in an amount not exceeding the sum of $525,000 for the purpose of paying the said floating debt; and that power should be granted to issue and hypothecate or sell debentures for certain other purposes; and also that special legislation be enacted in respect to certain other matters as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title. **1.** This Act may be cited as *The Town of Riverside Act, 1931.*

Interpretation. **2.** In this Act,—

"Corporation." (*a*) "Corporation" shall mean the corporation of the town of Riverside;

"Council." (*b*) "Council" shall mean the council of the corporation;

"Director." (*c*) "Director" shall mean the Director of the Bureau of Municipal Affairs;

"Municipal Board." (*d*) "Municipal Board" shall mean the Ontario Railway and Municipal Board;

(*e*)

(*e*) "Municipality" shall mean the municipality of the town of Riverside. "Municipality."

3. The floating debt of the corporation is consolidated at the sum of $516,437.11, and the corporation may borrow by a special issue of debentures a sum not exceeding $525,000 for the purpose of paying the said floating debt. Floating debt consolidated.

4. The debentures authorized by section 3 shall be payable in not more than fifteen years from the date of issue thereof and shall bear interest at a rate not exceeding six per cent. per annum and may be issued either with or without coupons attached thereto for interest and shall be payable at such place or places as the council may deem expedient. Debentures, term and interest.

5. The said debentures shall be payable in equal annual instalments of principal and interest in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debts are to be discharged. Instalment debentures.

6. The said debentures and all moneys arising from the sale thereof shall be applied in the payment of the said floating debt and for no other purpose. Application of proceeds.

7. All arrears of taxes levied in the year 1930 and any year prior thereto, which are outstanding at the date of issue of the debentures authorized by section 3 shall be set aside as security for the payment of the said debentures and interest thereon, and shall be paid into such chartered bank of Canada as may be approved by the Director to the credit of a special account for such purpose, and the moneys from time to time received or realized by the corporation from such arrears of taxes and standing to the credit of such special account shall be applied, first, in payment of interest on the said debentures and thereafter in payment of instalments of principal next maturing in respect of said debentures or in the redemption of unmatured debentures as hereinafter provided. Application of arrears of taxes.

8. The corporation shall levy and collect in each year during the currency of the said debentures, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon all such debentures, provided that all moneys received or realized by the corporation from the arrears of taxes hereinbefore referred to shall be applied annually to the reduction or extinguishment of the rates required to be levied under any by-law for the issue of Special rates.

said

said debentures, and it shall not be necessary to levy any special rate to provide for principal or interest, or any payment on account of the said debentures except to the extent to which the amount received or realized from the arrears of taxes aforesaid is insufficient to meet the annual payments falling due on account of interest and principal in respect thereof, and provided further that if in any year the proceeds of such arrears of taxes are more than sufficient to meet the payments for interest and principal falling due in respect of the said debentures, the surplus shall be kept set aside and, subject to the provisions of section 9, shall be applied against the requirements of the next succeeding year or years.

Redemption of debentures.

9. The corporation may apply any moneys to the credit of the special account mentioned in section 7 or any other moneys at its disposal in the redemption of unmatured debentures authorized by section 3, in such manner that the earliest maturing outstanding debentures shall first be redeemed.

Yearly estimates to be approved by Director.

10. The council shall, not later than the 1st day of April in every year submit for the approval of the Director the yearly estimates prepared under the provisions of *The Municipal Act* and the Director may amend or vary the same as he may see fit and the estimates as finally approved by him shall, for the purposes of the said Act, be the estimates upon which the council shall thereafter levy such rates for the current year as may be approved by the Director.

Limitation upon expenditures.

11. The council shall not expend any money or incur any liabilities not provided for in the estimates approved by the Director without his consent being first obtained thereto.

Limitation upon new works, etc.

12. Save as herein otherwise provided, the corporation shall not under the provisions of any special or general Act undertake any work or expend any moneys or incur any liabilities which will require the issue of debentures of the corporation to pay for the cost of such work or to repay such expenditures or meet such liabilities without the approval of the Municipal Board being first obtained.

Financial statements for Director.

13. The council shall, from time to time when required by the Director, furnish the Director with a statement, certified by the auditor of the corporation, in such form as the Director may require, of receipts and expenditures during such period as may be designated by the Director and such estimates of future receipts and expenditures as the Director may require.

Tax statements for Director.

14. The council shall also, whenever required by the Director, submit to the Director a statement or statements

showing

showing all current taxes and arrears of taxes which are outstanding and unpaid, and such information as to the steps and proceedings taken for the collection of such taxes and arrears of taxes as the Director may require.

Assessment statements for Director.

15. The council shall from time to time when required by the Director furnish the Director with such statements and particulars as to the assessment rolls of the municipality as he may require.

Current loans to be approved.

16. The council shall not exercise the power conferred by section 334 of *The Municipal Act* except with the approval of the Director first obtained thereto and then only in accordance with the terms of any such approval.

Issue of debentures to repay loans.

17. Notwithstanding the provisions of section 12, the corporation may, from time to time with the approval of the Director, issue and hypothecate or sell debentures to realize the moneys necessary to repay the amount of any sums borrowed with his approval under the provisions of section 16 and remaining unpaid, but no by-law authorizing the issue of such debentures shall be finally passed by the council until the form of the by-law, the amount and term of the debentures and the rate of interest thereon have been approved by the Director.

Special rates.

18. The corporation shall levy and collect in each year during the currency of any debentures issued under the authority of section 17, in addition to all other rates, a special rate on all the rateable property in the municipality sufficient to produce and pay the instalments of principal and interest falling due upon such debentures.

Observance of directions given by Director.

19.—(1) The Director may from time to time as he may deem expedient give such directions to the council and officers of the corporation for the due carrying out and observance of the provisions of *The Municipal Act*, *The Assessment Act* and this Act.

(2) It shall be the duty of the council and of every member thereof and of every officer of the corporation to carry out, observe and perform the provisions of this Act and of every direction given by the Director under this Act.

(3) Every member of the council and every officer of the corporation who directly or indirectly violates or is a party to the violation of any of the provisions of this Act or of any direction given by the Director, shall incur a penalty of not less than $100 and not more than $500, recoverable under *The Summary Convictions Act.*

20.

Auditor.

20. The auditor of the corporation shall be appointed with the approval of the Director and shall not be removed from office without the consent of the Director.

Assent of electors not necessary.

21. It shall not be necessary to obtain the assent of the electors of the municipality qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act.*

Irregularities not to invalidate debentures.

22. No irregularity in the form of the said debentures, or any of them, or of any by-law authorizing the issue thereof, shall render the same invalid or illegal, or be allowed as a defence to any action brought against the corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof.

Treasurer to keep special books.

23. It shall be the duty of the treasurer for the time being of the corporation to keep, and it shall be the duty of each of the members, from time to time, of the council, to procure such treasurer to keep, and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures, which, from time to time, shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures and the application which shall from time to time be made of the said amounts and the amount of arrears of taxes outstanding at the date of issue of the said debentures and the amounts which shall from time to time be received or realized on account thereof, and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders from time to time of the debentures which shall be issued under the powers hereby conferred, or any of such debentures.

Rev. Stat., c. 233 to apply.

24. Except as herein otherwise provided, the provisions of *The Municipal Act* shall apply to all borrowings effected and debentures issued pursuant to this Act.

By-law No. 302 C, confirmed.

25. By-law number 302 C of the corporation set forth in schedule "1" hereto is hereby confirmed and declared to be legal, valid and binding on the corporation and the ratepayers thereof and any works authorized to be constructed thereunder

and

and all temporary advances heretofore made pending the completion of the said works shall conclusively be deemed to have been legally undertaken and authorized, and the cost of each work described in said By-law number 302 C, after deducting any contributions shall be assessed in accordance with the engineer's report procured and adopted by the council in respect thereto upon the lands specified therein and there shall be included in the cost of each said work the following items:

(*a*) Any sum expended in obtaining from the Department of Lands and Forests of Ontario a patent of lands on the south side of the work, including all legal fees and expenses incidental thereto and incidental to the conveyance of the lands therein described or any portion thereof to the respective owners entitled thereto;

(*b*) Any sum expended in completing the earth fill south of the work.

26. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

SCHEDULE

SCHEDULE "1"

TOWN OF RIVERSIDE

CONSTRUCTION BY-LAW NUMBER 302C

A By-law to authorize the construction of certain works as local improvements under the provisions of *The Local Improvement Act.*

Whereas petitions have been received by the Council for the construction, as local improvements, of the works set forth in Schedule "A" hereto annexed, and the Clerk has certified that each of the petitions is sufficient and that it is expedient to grant the prayer of the petitions in the manner hereinafter provided.

And whereas the Council has procured reports in regard to each of said works as required by Section 34 of *The Local Improvement Act.*

And whereas each of the said reports is hereby adopted.

Therefore the Municipal Council of the Town of Riverside, enacts as follows:—

1. That the works set forth in said Schedule "A" shall be constructed along the shores and between the points as therein mentioned as local improvements under the provisions of *The Local Improvement Act.*

2. The Engineer of the Corporation do forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the making of a contract for the execution of the work.

3. The work shall be carried on and executed under the superintendence and according to the directions and orders of such Engineer.

4. The Mayor and Clerk are authorized to cause a contract for the construction of the work to be made and entered into with some person or persons, firm or corporation, subject to the approval of this Council to be declared by resolution.

5. The Treasurer may, subject to the approval of the Council agree with any bank or person for temporary advances of money to meet the cost of the work pending the completion of it.

6. The special assessment for each of the said works shall be paid by the number of annual instalments as set forth in column six of said Schedule "A."

7. The debentures to be issued for the loan to be effected to pay for the cost of each of the said works when completed shall bear interest at such rate as the Council may determine and be made payable on the instalment plan within the number of years as shown in column seven of said Schedule "A."

8. Any person whose lot is specially assessed may commute for a payment in cash the special rates imposed thereon, by paying the portion of the cost of construction assessed upon such lot, without the interest, forthwith after the special Assessment Roll has been duly certified by the Clerk, and at any time thereafter by the payment of such sum as when invested at four per cent. (4%) per annum will provide an annuity sufficient to pay the special rates for the unexpired portion of the term as they fall due.

Passed this 3rd day of November, A.D. 1930.

H. A. DOUILLARD, *Mayor.*
(SEAL) C. J. MCHUGH, *Clerk.*

Schedule "A"

1 No.	2 Nature of Work	3 Location of Work	4 From	5 To	6 Number of instalments by which assessment payable	7 Currency of debentures
1	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 141.	The limit between the east and west halves of Farm Lot 147.	30	30
2	A Breakwater	Along the shore of Lake St. Clair.	The limit between the east and west halves of Farm Lot 147.	A point 52 feet west of the limit between the east and west halves of Farm Lot 149	30	30

CHAPTER 121.

An Act respecting the City of St. Thomas.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of St. Thomas has by its petition represented it as desirable that the said corporation be authorized to pass by-laws without the assent of the electors for borrowing a sum not exceeding $10,000 upon debentures to pay the cost of constructing storm sewers and to pass by-laws for borrowing a sum not exceeding $55,000 upon debentures to pay the cost of certain works and other expenses incurred in respect of the establishment and improvement of the new western entrance to the said city; and whereas the said corporation has further represented by its petition that it desires to place the control, management and operation of its gas plant under a commission of three members; and whereas the said corporation further desires that sales of lands for taxes within the said city be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1931.*

Tax sales and conveyances confirmed.

2.—(1) All sales of land within the city of St. Thomas made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the said city or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold, executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof or his heirs, assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of

and

and free from all right, title and interest whatsoever of the owners thereof at the time of such sale or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Payment for special audits confirmed.

3. The payment of $6,369.11 by the council of the said corporation to H. T. Jamieson & Company for certain special audits of and reports upon the affairs of the corporation and of the Board of Education of the said city is hereby authorized, validated and confirmed.

1929, c. 118, s. 3, amended.

4. Section 3 of *The City of St. Thomas Act, 1929* (chapter 118), is amended by striking out in the last line thereof the figures "1929" and inserting in lieu thereof the figures "1930."

1922, c. 129, s. 3, repealed.

5. Section 3 of *An Act respecting the City of St. Thomas* passed in the twelfth year of the reign of His Majesty King George the Fifth, chaptered 129, is repealed.

Power to issue debentures for storm sewers.

6. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding $10,000 to pay for the cost of construction of storm sewers, and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine.

Power to issue debentures for cost of new western entrance.

7. The said corporation may pass a by-law or by-laws to borrow and may borrow a sum not exceeding $55,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and bearing interest at such rate as the council of the said corporation may determine for paying the cost heretofore or hereafter incurred of acquiring lands, constructing, paving and curbing the roadway for the new western entrance to the said city, including the cost heretofore or hereafter incurred of all works required to give owners of abutting lands access thereto and all amounts paid or to be paid for land damages and cost of arbitration proceedings heretofore or hereafter arising out of the construction of the said new western entrance.

Rev. Stat., c. 233, formalities not to apply.

8. It shall not be necessary for the council of the said corporation to observe, in respect of any of the by-laws mentioned in sections 6 and 7 hereof the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

9.

Irregularities in debentures, etc., not to affect validity.

9. Any irregularity in the form of the debentures issued under the authority of this Act or in any by-law authorizing the issue thereof shall not render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof or any part thereof or the interest thereon.

Establishment of a Gas Commission.

10.—(1) The council of the said corporation may by by-law, passed without the assent of the municipal electors, entrust the control, management and operation of the gas plant now owned and operated by the said corporation to a commission to be called "The Gas Commission of the City of St. Thomas" consisting of three members, of whom the mayor of the said corporation shall *ex-officio* be one and the other two shall be appointed by the said council.

Election of commissioners.

(2) The members of the said commission appointed under subsection 1 shall hold office for the year 1931 and until their successors take office but for the year 1932 and thereafter the members of the said commission other than the mayor shall be elected in accordance with the provisions of *The Public Utilities Act.*

Rev. Stat., c. 249.

Public Utilities Act (Rev. Stat., c. 249), to apply.

(3) Subject to the provisions of subsections 1 and 2, the said commission shall be deemed to be a commission established under Part III of *The Public Utilities Act*, and the provisions of the said Act shall apply to it.

Commencement of Act.

11. The provisions of this Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1931.

CHAPTER 122.

An Act respecting the Town of Sandwich.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Sandwich has by its petition represented that it is desirable that the redistribution of certain taxes in arrears on Marlborough Park subdivision as resubdivided be confirmed, and that sales of land for taxes may be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Sandwich Act, 1931.*

By-law No. 2099 respecting arrears of taxes in Marlborough Park confirmed.

2. Notwithstanding anything contained in *The Town of Sandwich Act, 1930*, by-law number 2099 of the corporation of the town of Sandwich apportioning taxes in arrears up to the 31st day of December, 1928, among certain of the lots in the Marlborough Park Subdivision as resubdivided and the roll appearing as schedule "A" to the said by-law are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and each amount set out opposite the several lots therein is hereby declared to be the arrears of taxes to the 31st day of December, 1928, under the provisions of *The Assessment Act*, and shall be collected thereunder in the same manner as other arrears of taxes are collectible.

Rev. Stat., c. 238.

Tax sales and conveyances confirmed.

3.—(1) All sales of land within the town of Sandwich made subsequent to the 31st day of December, 1925, and prior to the 31st day of December, 1929, purporting to be made for arrears of taxes in respect to the land so sold are hereby ratified and confirmed and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or

his

his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and of all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in subsection 1 contained shall affect any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commencement of Act

4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 123.

An Act respecting the Township of Sandwich East.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Sandwich East has by its petition represented it desires that its by-law number 1325 to provide for the appointment of members of the public utilities commission of the said township be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Sandwich East Act, 1931.*

By-law No. 1325 appointing members of Public Utilities Commission confirmed.

Rev. Stat., c. 249.

2. By-law number 1325 of the said corporation, providing for the establishment of and the appointment of members to the public utilities commission of the said township, is hereby declared to be legal and valid and the commissioners therein named shall have all the powers of commissioners duly elected under the provisions of *The Public Utilities Act* but shall hold office for the year 1931 only, and until their successors are elected at the next annual municipal election of the said township.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 124.

An Act respecting the City of Sault Ste. Marie.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Sault Ste. Marie has by a petition represented that it is desirable that its by-law number 1444, set forth in schedule "A" hereto, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in such highways to Algoma Central Terminals Limited, should be validated and confirmed, and also that its by-laws set forth in schedule "B" hereto should be validated and confirmed, and that all sales of land for taxes within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title

1. This Act may be cited as *The City of Sault Ste. Marie Act, 1931.*

By-law No. 1444 confirmed.

2. By-law number 1444 of the said corporation, set forth in schedule "A" hereto, providing for the stopping up of certain highways and parts of highways and for selling and conveying the freehold in the highways and parts of highways so stopped up to Algoma Central Terminals Limited on the terms set out in said by-law, are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said Algoma Central Terminals Limited.

By-laws set forth in Schedule "B" confirmed.

3. The by-laws of the said corporation specified in schedule "B" hereto and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

4.—(1) All sales of land within the city of Sault Ste. Marie made subsequent to the thirty-first day of December, 1925, and prior to the first day of January, 1929, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold, executed by the mayor and treasurer of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, are hereby validated and confirmed, and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and in his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple free and clear of and from all title or interest whatsoever of the owners thereof, at the time of such sale, or their assigns and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold. Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation not affected.

5. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act

SCHEDULE

SCHEDULE "A"

BY-LAW NO. 1444 OF THE CITY OF SAULT STE. MARIE

A By-law for stopping up certain highways and parts of highways and for selling the soil and freehold of such highways.

Whereas Algoma Central Terminals Limited and the Municipal Corporation of the City of Sault Ste. Marie are the owners of all the lots abutting on and adjacent to the highways and parts of highways hereinafter described.

And whereas the said Algoma Central Terminals Limited have represented that it is of importance to them for carrying on their railway operations that the highways and parts of highways hereinafter referred to should be stopped up and deeded to it in order that the said lots owned by it and the said highways and parts of highways may form a block of land.

And whereas the Municipal Corporation of the City of Sault Ste. Marie has deemed it expedient to stop the said highways and parts of highways hereinafter described and to sell the soil and freehold of the same together with other lots in the said vicinity to the said Algoma Central Terminals Limited.

Now therefore the Municipal Council of the Corporation of the City of Sault Ste. Marie enacts as follows:—

1. The following highways and parts of highways are hereby stopped up and closed, namely:

(*a*) St. Patrick's Street from the north boundary of Cathcart Street to a line drawn across said St. Patrick Street at right angles to the boundaries thereof and distant sixty-eight feet (68′) northerly from the north boundary of Carleton Street.

(*b*) Adelaide Street from the southerly boundary of St. George Street to a line drawn across Adelaide Street at right angles to the boundaries thereof and distant sixty-eight feet (68′) northerly from the northerly boundary of Carleton Street.

(*c*) Sherbourne Street from the southerly boundary of St. George Street to a line drawn across Sherbourne Street at right angles to the boundaries thereof and distant sixty-eight feet (68′) northerly from the northerly boundary of Carleton Street.

(*d*) Curzon Street from the southerly boundary of St. George Street to the southerly boundary of Wellington Street.

(*e*) St. George Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(*f*) Carleton Street from the westerly boundary of St. Patrick Street to the westerly boundary of Hudson Street.

(*g*) The fourteen foot (14′) lane immediately south of and adjoining Lots 116 to 121 inclusive, 144 to 149 inclusive, 172 to 177 inclusive, and 200 to 205 inclusive, in Block 4 of Kehoe and Cozens Subdivision of the Steward Survey of the Korah Block.

(*h*) The fourteen foot (14′) lane immediately north of and adjacent to Lots numbers 214 to 219 inclusive, 186 to 191 inclusive, 158 to 163 inclusive, and 130 to 135 inclusive in said Block 4.

(*i*) The fourteen foot (14′) lanes immediately west of and adjacent to Lots 122 to 129 inclusive, Lots 150 to 157 inclusive, Lots 178 to 185 inclusive, Lots 206 to 213 inclusive in said Block 4.

(*j*) The lane immediately east of and adjoining Lot 76 to a point fourteen feet (14′) southerly from the northerly boundary of Lot 79.

(*k*) The fourteen foot (14′) lane to the rear of and adjoining the southeasterly 20 feet of Lot 70, Lot 71 and Lots 103 to 112 inclusive in said Block 4.

(*l*) The fourteen foot (14′) lane commencing at the westerly boundary of Hudson Street and running diagonally along the rear of Lots 94, 93, 92; the lane to the east of and adjacent to Lots 104 to 107 inclusive and the lane between Lot 92 and Lots 91, 90, 89, 88, 87 and 86 in said Block 4.

2. (*a*) A highway is hereby established and laid out to be known as Carleton Street in place of the Carleton Street stopped up and closed as provided in paragraph one above, and to be comp sed of the northerly fifty-two feet (52′) of Lots 46 to 51 inclusive and 16 to 21 inclusive in said Block 4, together with the fourteen foot lane heretofore established and existing immediately north of and adjoining the said portions of the Lots in this paragraph described.

(*b*) A lane is hereby established composed of the northerly fourteen feet (14′) of Lot 79 in said Block 4.

3. The soil and freehold in the said highways and parts of highways stopped up and closed as provided in paragraph one hereof shall be sold and conveyed to Algoma Central Terminals Limited, together with the southerly sixty-eight feet (68′) of Lots numbers 16 to 21 inclusve, and of Lots 46, 47, 48, and Lots 125 to 143 inclusive, Lots 150 to 153 inclusive, Lots 163 to 166 inclusive, at or for the price or sum of Eighteen Hundred ($1,800.00) Dollars.

4. The said sale and conveyance to the said Algoma Central Terminals Limited is conditional on it granting to the said Municipal Corporation a right, should the said Corporation at any time in the future in its judgment require to do so, to run a storm, sanitary or other sewer or sewers through or across the said Block of land owned or to be acquired hereunder by Algoma Central Terminals Limited, bounded on the west by the westerly boundary of St. Patrick Street hereby closed, on the east by the westerly boundary of Hudson Street, on the north by Wellington Street, and on the south by the southerly limit of the lands of the said Algoma Central Terminals Limited; provided, however, that the said Municipal Corporation, if it should exercise such right to run such sewers, shall pay all expenses in connection therewith or incidental thereto and shall indemnify and save harmless the said Algoma Central Terminals Limited from any loss, damage or expense in any way resulting from or connected with the laying of said sewers, during the process of constructing and laying the same, and/or in any way resulting from the presence of such sewer or sewers in the said land, and/or in their maintenance or the maintenance of any portion of them.

5. The Council shall hear in person or by his counsel, solicitor or agent any person who claims that his lane will be prejudicially affected by the by-law and who applies to be heard at the regular Council meeting to be held at the City hall on the 13th day of October, 1930.

Read a first time this 13th day of October, 1930.

Read a second and third time and finally passed in open Council this 13th day of October, 1930.

JOHN MCLARTY, *Mayor.*

[SEAL]

R. G. CAMPBELL, *Clerk.*

SCHEDULE

SCHEDULE "B"

1. By-law Number 1455, being a by-law to authorize the borrowing of $5,700 for permanent improvements to the Sault Ste. Marie Collegiate Institute.

2. By-law Number 1414, being a by-law to provide for the issue of debentures for $15,000 to pay for the construction of a 30-inch reinforced concrete storm sewer on a portion of John Street and a 24-inch reinforced concrete storm sewer on a portion of Bloor Street.

3. By-law Number 1468, being a by-law to provide for the issue of debentures for $40,000 to pay for the construction of reinforced concrete pavements on streets and of the dimensions set forth in said by-law.

4. By-law Number 1469, being a by-law to provide for the issue of debentures for $21,400 to pay for the construction of storm sewers and granolithic sidewalks on the streets and of the dimensions set forth in said by-law.

5. By-law Number 1467, being a by-law to provide for the issue of debentures for $3,900 to pay for the construction of sanitary sewers and private sewer connections on the streets and as specified in said by-law.

6. By-law Number 1462, being a by-law to provide for the issue of debentures for $12,900 for diverting the Creek at Goulais Avenue in the City of Sault Ste. Marie and constructing an open ditch and other work in connection therewith.

7. By-law Number 1458, being a by-law to provide for the issue of debentures for $8,000 for the purpose of cutting down Hearst Street Hill, the construction of an 18-inch storm sewer on Victoria Avenue, the straightening out of a creek in the Bay View Subdivision, the installing of 8-inch storm outlets with the necessary open ditches to relieve the flood conditions on Wellington Street, and other incidental work connected therewith.

8. By-law Number 1461, being a by-law to provide for the issue of debentures for $35,000 for the construction of certain concrete storm sewers on North Street, St. Andrew's Terrace and St. George's Avenue, as set forth in said by-law.

9. By-law Number 1460, being a by-law to provide for the issue of debentures for $25,000 to pay for the construction of certain concrete storm sewers on North Street, Railroad Avenue and Bloor Street, as set forth in said by-law.

10. By-law Number 1459, being a by-law to authorize the enclosing of a certain portion of Fort Creek, the expropriation of certain lands necessary therefor, and the issue of debentures for $42,000 to pay for same

CHAPTER 125.

An Act respecting the Township of Scarborough.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of Scarborough has by a petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Scarborough Act, 1931.*

Tax sales and conveyances confirmed.

2.—(1) All sales of land within the said township made prior to the 31st day of December, 1928, which purport to have been made by the said corporation or its treasurer for arrears of taxes in respect to lands so sold, are hereby validated and confirmed, and all conveyances of lands so sold executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation are hereby validated and confirmed and shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect any action or other proceeding now pending, and such action or other proceeding may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Rev. Stat., c. 233, s. 306, not to apply to certain rates.

3. All rates heretofore or hereafter levied pursuant to the provisions of sections 2 to 13 of *The Township of Scarborough Act,*

Act, 1923 (chapter 88) and any amendment thereto shall be deemed to be local improvement rates for the purposes of section 306 of *The Municipal Act* and no rate heretofore or hereafter levied by the council of the said corporation pursuant to said sections 2 to 13 shall be deemed to be included in the rate of two and a half cents in the dollar referred to in said section 306 for the purpose of determining whether the said council may contract any further debts; and any debt may be contracted by the said council pursuant to said sections 2 to 13, notwithstanding the limitations prescribed by said section 306 of *The Municipal Act.*

Commencement of Act

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 126.

An Act respecting the Village of Stoney Creek.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the village of Stoney Creek has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Village of Stoney Creek Act, 1931.*

By-law No. 4 for watermains confirmed and debentures authorized.

Rev. Stat. c. 235.

2. By-law number 4 of the corporation of the village of Stoney Creek passed on the 12th day of January, 1931, authorizing the construction of certain watermains therein mentioned as local improvements under *The Local Improvement Act*, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the works mentioned in said by-law shall conclusively be deemed to have been properly and lawfully undertaken pursuant to and in accordance with the provisions of the said Act, and the council of the said corporation may upon completion of the works mentioned in said by-law borrow upon the credit of the said corporation at large by the issue of debentures under the said Act such sums as may be necessary to defray the cost of the said works, and all debentures to be issued or purporting to be issued to defray the cost of said works, or any of them, are hereby declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Debentures for waterworks authorized.

3.—(1) The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for borrowing by the issue of debentures a sum not exceeding $35,000 to defray the cost of constructing for the said corporation water supply works consisting of an elevated tank, force main and pumping station with necessary appliances and appurtenances.

(2)

Nature of debentures. Rev. Stat., c. 233.

(2) The said debentures may be payable in any manner authorized by *The Municipal Act* within a period not exceeding thirty years from the date thereof.

Irregularities not to invalidate.

(3) No irregularity in the form or substance of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 127.

An Act respecting the City of Sudbury.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Sudbury has by its petition represented that it is desirable that certain by-laws, specified in schedule "A" hereto, and the debentures issued or to be issued thereunder, should be validated and confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Sudbury Act, 1931.*

Confirmation of by-laws and debentures.

2. The by-laws of the corporation of the city of Sudbury specified in schedule "A" hereto and all debentures issued or to be issued thereunder are confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE

SCHEDULE "A"

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1313	Dec. 22nd, 1930	A By-law to provide for borrowing $50,000.00 upon debentures for the purpose of paying for extensions and improvements of the water-works system of the City of Sudbury.....	$50,000.00	$50,000.00	.....	20 Years	5%
1314	Dec. 22nd, 1930	A By-law to provide for borrowing $60,000.00 upon debentures for the purpose of paying for the construction of extensions to the electric light system of the City of Sudbury.....	$60,000.00	$60,000.00	.....	20 Years	5%
1322	Jan. 27th, 1931	A By-law to provide for borrowing $1,724.00 upon debentures to pay for the construction of the Wrought Iron Watermains as therein set forth.....	$1,724.00	.....	$1,724.00	10 Years	5%
1323	Jan. 27th, 1931	A By-law to provide for borrowing $10,000.00 upon debentures to pay for the construction of the Bitulithic Pavement as therein set forth	$10,000.00	$5,292.55	$4,707.45	10 Years	5%
1324	Jan. 27th, 1931	A By-law to provide for borrowing $31,120.00 upon debentures to pay for the construction of the Concrete Walks as therein set forth.....	$31,120.00	$5,550.20	$25,569.80	10 Years	5%
1325	Jan. 27th, 1931	A By-law to provide for borrowing $109,475.00 upon debentures to pay for the construction of the Bitulithic Pavements as therein set forth	$109,475.00	$44,324.65	$65,150.35	20 Years	5%

SCHEDULE "A"—*Continued*

No. of By-law	Date of Passing By-law	Nature of Work under By-law	Amount of Debt Created	Amount payable by City	Amount payable by Ratepayers	Period of Payment	Rate of Interest
1326	Jan. 27th, 1931	A By-law to provide for borrowing $72,600.00 upon debentures to pay for the construction of the Cast Iron Watermains as therein set forth	$72,600.00	$22,405.53	$50,194.47	20 Years	5%
1327	Jan. 27th, 1931	A By-law to provide for borrowing $84,300.00 upon debentures to pay for the construction of the Storm Sewers as therein set forth.....	$84,300.00	$23,101.76	$61,198.24	20 Years	5%
1328	Jan. 27th, 1931	A By-law to provide for borrowing $335,100.00 upon debentures to pay for the construction of the Sanitary Sewers as therein set forth.....	$335,100.00	$59,498.99	$275,601.01	20 Years	5%

CHAPTER 128.

An Act respecting The Town of Thorold.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Thorold has by its petition represented that having on the 5th day of January, 1931, obtained the approval thereto of the electors of the said town qualified to vote on money by-laws, it desires authority to exempt from taxation, except taxation for school purposes and for local improvements, for a period of five years from the first day of January, 1931, all new dwellinghouses erected in the said town during the said period; and whereas the said corporation has by its said petition also represented it is desirable that all sales of land for taxes within the said town made prior to the 31st day of December, 1929, be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Town of Thorold Act, 1931.*

Exemption from taxation of new dwellings.

2. The corporation of the town of Thorold may by by-law, which for its validity shall not require the assent of the electors of the said town qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the first day of January, 1931, all new dwellinghouses erected in the said town during the said period.

Tax sales and conveyances validated.

3.—(1) All sales of land within the town of Thorold made prior to the 31st day of December, 1929, which purport to have been made by the corporation of the town of Thorold or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of lands so sold executed by the mayor, treasurer and clerk of the said town purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the lands so sold

in

in the purchaser or his heirs or assigns and his or their heirs and asssigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act.

4. The provisions of this Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 129.

An Act respecting the Town of Tilbury.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Tilbury has by its petition represented that it has incurred a floating indebtedness to the amount of $40,000 which has accumulated over a period of years, and that to pay off the said floating indebtedness forthwith in addition to meeting its current annual expenditures would be unduly oppressive on the ratepayers of the said town; and whereas the said corporation has by its petition prayed that the said floating indebtedness of $40,000 may be consolidated and that it may be authorized to borrow by the issue and sale of debentures sufficient money to discharge the said floating indebtedness; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Tilbury Act, 1931.*

Floating debt consolidated at $40,000.

2. The floating debt of the corporation of the town of Tilbury is consolidated at the sum of $40,000 and the said corporation may borrow by a special issue of debentures a sum not exceeding $40,000 for the purpose of paying the said floating debt.

Term of debentures and interest.

3. The said debentures shall be made payable in not more than twenty years from the date of issue thereof, and shall bear interest at a rate not exceeding six per centum per annum, and may be issued either with or without coupons attached thereto for interest, and shall be payable at such place or places as the corporation may deem expedient.

Equal annual instalments of principal and interest.

4. The said debentures shall be payable in equal annual instalments of principal and interest, in such manner and of such amounts that the amount payable for principal and interest in any year shall be equal as nearly as may be to what is payable for principal and interest during each of the other years of the period within which the said debt is to be discharged.

5.

5. The said corporation shall levy in each year during the period within which the said debt is payable, in addition to all other rates, a special rate sufficient to produce and pay the annual instalments of principal and interest falling due upon the said debentures. Special rate.

6. The debentures and all moneys arising from the sale thereof shall be applied in payment of the said floating debt and for no other purpose. Application of proceeds of debentures.

7. It shall not be necessary to obtain the assent of the electors of the said town qualified to vote on money by-laws to the passing of any by-law which shall be passed under the authority of this Act, or to observe the formalities in relation thereto prescribed by *The Municipal Act*. Assent of electors not required. Rev. Stat., c. 233.

8. No irregularity in the form of the said debentures or any of them, or of any by-law authorizing the issue thereof shall render the same invalid or illegal, or be allowed as a defence to any action brought against the said corporation for the recovery of the said debentures or interest or any part thereof; and the purchaser or holder thereof shall not be bound to enquire as to the necessity of passing such by-law or issuing debentures or as to the application of the proceeds thereof. Irregularity in form not to invalidate.

9. It shall be the duty of the treasurer for the time being of the said town to keep, and it shall be the duty of each of the members from time to time of the council to procure such treasurer to keep and see that he does keep, a proper book of account setting forth a full and particular statement so that the same shall at all times show the number of debentures which from time to time shall be issued under the powers conferred by this Act, and the respective amounts payment of which is thereby secured, and the times at which the said debentures shall respectively become due and payable, and the several amounts which shall from time to time be realized from the sales or negotiations of the said debentures, and the application which shall from time to time be made of the said amounts and the said book of account and statement shall at all times and at all reasonable hours be open to the inspection of any ratepayer of the said town and of any of the holders, from time to time of the debentures which shall be issued under the powers hereby conferred or any of such debentures. Treasurer to keep proper books of account.

10. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 130.

An Act respecting the City of Toronto.

Assented to April 2nd, 1931.

Preamble

WHEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1931.*

Confirmation of specified expenditures.

2. The following expenditures by the council of the corporation of the city of Toronto out of current revenue for 1930 are hereby authorized, validated and confirmed, namely:

(1) A grant of $500 to the St. Elizabeth Visiting Nurses' Association;

(2) A grant of $3,500 to the Canadian Social Hygiene Council;

(3) A grant of $7,500 to the Parkdale Canoe Club;

(4) A grant of $100,000 to the Federation for Community Service Fund;

(5) A grant of $20,000 to the Federation of Catholic Charities;

(6) A grant of $15,000 to the Federation of Jewish Philanthropies of Toronto;

(7) A grant of $500 to the Balmy Beach Club;

Rev. Stat., c. 233.

(8) An expenditure of $9,000 for the purposes set out in section 437 of *The Municipal Act* in excess of the amount authorized by said section.

3.—(1) By-law number 12790 passed by the council of the said corporation on the 22nd day of September, 1930, and entitled "A By-law to undertake the extension of University Avenue from its present southerly terminus at Queen Street southerly and southeasterly to Front Street" is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of *The Local Improvement Act* and that the provisions of the said Act apply to the work authorized by the said by-law.

By-law No. 12790 relating to University Avenue Extension confirmed.

Rev. Stat., c. 235.

(2) The compensation payable by the said corporation for any land heretofore or hereafter acquired or expropriated for or in connection with the extension of University Avenue authorized by the said by-law number 12790 shall be determined by the Official Arbitrator under the provisions of *The Municipal Act* and *The Municipal Arbitrations Act*, and for the purpose of determining the amount of such compensation the value of the said land shall be fixed as of the 3rd day of April, 1928.

Compensation for lands.

Rev. Stat., c. 233 and c. 242.

(3) The said council may exercise in respect either to University Avenue as it now exists or University Avenue as so extended to Front Street, the powers provided for in sections 3 to 6 inclusive of *The University Avenue Extension Act, 1928*.

1928, c. 17, ss. 3 to 6 to apply.

(4) Pending completion of the work authorized by the said by-law number 12790, the council may without the assent of the electors qualified to vote on money by-laws from time to time borrow upon the credit of the corporation any money that may be required to complete the said work or to repay any sum or sums so borrowed for such purposes and the interest thereon, either by obtaining advances from any bank or person, or by issuing debentures, notes or other securities in such form and at such rate of interest and payable upon such dates as the council of the said corporation may from time to time determine, and the amount of money so borrowed and outstanding at the time of the completion of the work, and any amounts paid or payable for interest upon any sum so borrowed shall form part of the cost of the work and shall be a first charge upon and be repaid out of the moneys borrowed by the corporation to pay the cost of the said work upon its completion.

Securities for temporary loans.

4. The agreement dated the 18th day of December, 1930, made between the said corporation and The T. Eaton Company, Limited, set out in schedule "A," is hereby confirmed and declared to be legal, valid and binding upon the parties thereto and the said parties are hereby authorized to carry out and enjoy their respective obligations and privileges thereunder.

Agreement with The T. Eaton Company, Limited, confirmed

5.

By-law No. 12682 relating to Church Street Extension and Davenport Road Widening confirmed.

Rev. Stat., c. 235.

5. By-law number 12682 passed by the council of the said corporation on the 2nd day of June, 1930, and entitled "A By-law to authorize the extension of Church Street, from Bloor Street to Yonge Street and the widening of Davenport Road, from Yonge Street to McAlpine Street, as a local improvement work under section 8 of *The Local Improvement Act*," is hereby validated and confirmed and it is hereby declared that the said by-law was legally and validly passed under and pursuant to the provisions of the said Act, and that the provisions thereof apply to the work authorized by the said by-law.

Tax sales and conveyances confirmed.

6.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1929, and purporting to have been made by the treasurer of the said city for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Reconstruction of Old Technical School.

7. The council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to an amount not exceeding $185,000 to provide for the cost of reconstructing the Old Technical School Building on the south side of College Street in the city of Toronto.

Corporation's portion of cost of pavements—what to include.

Rev. Stat., c. 235.

8.—(1) Whenever the council of the said corporation shall hereafter undertake, as a local improvement work under the provisions of *The Local Improvement Act*, the construction of a pavement or the resurfacing or widening of a pavement, of or to a greater width than thirty-six feet (exclusive of the width of any street railway track allowance), there shall be included in the corporation's portion of the cost of the work so much of the cost as is incurred by reason of the work having such greater width.

(2) The council of the said corporation may, by the vote of three-fourths of all the members thereof, provide that so much of the cost of any work referred to in subsection 1 as is incurred by reason of the work having a greater width than thirty-two feet (exclusive of the width of any street railway track allowance) shall be included in the corporation's portion of the cost of the work.

Power to carry out agreement for stables at Exhibition Park.

9. The said corporation may do all acts necessary to perform the agreement made between the said corporation, His Majesty the King in right of the Dominion of Canada and His Majesty the King in right of the Province of Ontario, dated the 24th day of February, 1931, with respect to the erection of new horse stables in Exhibition Park, and the council of the said corporation may, without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portions of the cost of the said horse stables required to be so raised by the provisions of said agreement.

Validity of debentures.

10.—(1) It shall not be necessary for the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures to pay for the cost of any work undertaken under the authority of sections 3, 4, 5, 7 and 9 of this Act or of any by-law passed thereunder or confirmed thereby or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

(2) Debentures issued under the provisions of any of said by-laws shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*. Rev. Stat., c. 233.

(3) All debentures so issued or to be issued shall be legal, valid and binding upon the said corporation and the ratepayers thereof notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

Commencement of Act.

11. The provisions of this Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

SCHEDULE

SCHEDULE "A"

THIS AGREEMENT made in triplicate the 18th day of December, 1930.

BETWEEN:

THE CORPORATION OF THE CITY OF TORONTO,
hereinafter called the "City,"

of the first part;

—and—

THE T. EATON COMPANY LIMITED,
hereinafter called the "Company,"

of the second part.

Whereas it is necessary and desirable in the public interest that the jog at the intersection of College, Yonge and Carlton Streets in the City of Toronto be eliminated;

And whereas in order to proceed with such elimination it is proposed that a new section of Carlton Street shall be projected south-easterly from Yonge Street (about opposite College Street) at a width of eighty-six feet more or less to a junction with Carlton Street as it now exists and that from such junction easterly to a location one hundred and twenty-four feet four inches more or less east of the east limit of Church Street, Carlton Street shall be widened to eighty feet more or less by adding thereto a strip of land approximately fourteen feet in width adjoining the present northerly limit of Carlton Street, and that a portion of Carlton Street as it now exists which will not be required for highway purposes when the proposed work and improvements are consummated shall be closed and conveyed by the City to the Company or its nominees, the said portion of Carlton Street being that portion adjoining the easterly limit of Yonge Street having a measurement of ninety-two feet one and one-quarter inches on its northerly limit and a measurement of two hundred and sixty-seven feet six and one-half inches on its southerly limit and being shown coloured yellow on the blue print hereunto annexed, which blue print has been prepared by Tracy D. leMay, Esquire, O.L.S., City Surveyor, and is dated July 23rd, 1930;

And whereas all lands which will be required for the purpose of carrying out the projection of such new section of Carlton Street and the said widening of Carlton Street are owned or controlled by the Company and are shown coloured red on the said blue print hereto annexed;

And whereas the Company and the City have agreed to enter into and execute this agreement setting forth the obligations to be observed and performed by the Company and the City respectively to effect the consummation of the said work and improvements, and the execution of this agreement by the City is authorized by Report No. 14 of the Committee on Works adopted by the Council of the City on the twenty-fifth day of September, 1930;

Now therefore this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements hereinafter contained the Company and the City have agreed as follows:—

(1) The Company shall forthwith upon reasonable notice from the City so to do cause to be expeditiously removed at its own cost and expense all buildings and structures or portions thereof situated in, upon or under the lands required by the City to effect the said improvements, being the lands shown coloured red on the said blueprint hereto annexed, provided that the buildings known in the year 1930 as Nos. 34, 36 and 38 Carlton Street and so shown on the plan hereto annexed shall be allowed to remain in their present position for their respective lifetimes or until their reconstruction upon the Company executing in respect thereto the usual agreement (without cancellation provision) required by the City in a case of encroachment of buildings over the street line.

(2) Upon the removal of such buildings and structures or portions thereof as hereinbefore provided the Company shall convey or cause to be conveyed to the City free of all dower and encumbrances physical or otherwise (except as hereinbefore provided in respect to Nos. 34, 36 and 38 Carlton Street) the said lands shown coloured red on the blue print hereunto annexed (exclusive of public lanes, if any, of which the City has possession) at a price to be agreed upon by the Company and the City.

(3) Forthwith upon the conveyance to the City of the said lands as hereinbefore provided the City shall without expense to the Company or any other owner of abutting land (except by way of general taxation) pave or cause to be paved the portion of Carlton Street as it will exist after the carrying out of the said improvement from the easterly limit of Yonge Street to the line marked "B" on the said blue print hereto annexed, excepting thereout the Street Railway Track allowance, and shall also without expense to the Company or any other owner of abutting land (except by way of general taxation) construct or cause to be constructed in, upon or under the said portion of Carlton Street between the easterly limit of Yonge Street and the said line marked "B" sidewalks of a width of sixteen feet, more or less (including curb) and a sewer and watermain, the intent of the parties hereto being that the City shall without expense to the Company or other owners of lands abutting on the said portion of Carlton Street (except by way of general taxation), provide on the said portion of Carlton Street facilities for the use of same as a public highway equal to those now existing on the portion of Carlton Street to be closed as hereinafter provided.

(4) As soon as possible after the said portion of Carlton Street as hereinbefore in paragraph 3 described shall have been opened to traffic the City shall close as a public highway and convey to the Company or its nominees free of all encumbrances, physical or otherwise, and at a price equal in amount to the price which the City will pay for the lands to be conveyed to the City as hereinbefore provided, the portion of Carlton Street as it now exists immediately east of Yonge Street which is shown coloured yellow on the said blue print hereunto annexed, and without limiting the generality of the foregoing it is understood that such encumbrances shall include all sewers and watermains, and also any electrical, gas or other services constructed by any person or corporation other than the City in, upon or under the said portion of Carlton Street to be closed.

(5) Upon the said lands shown coloured yellow on the said blue print hereunto annexed being conveyed to the Company or its nominees as aforesaid the Company shall forthwith convey or cause to be conveyed to the owners of Carlton Street United Church without cost to such owners or to the City that portion of the said lands shown coloured yellow which is cross-hatched on the said blue print said portion lying between the lines of the prolongation northerly of the easterly and westerly limits of the Carlton Street United Church property on the south side of Carlton Street as shown on said plan, subject to the Company procuring from such owners of Carlton Street United Church and depositing with the City an undertaking or indemnity agreement in a form to be approved by the solicitor for the City that the said owners, their successors and assigns, will not make any claim or bring any action against the City by reason or on account of the closing of the portion of Carlton Street or the prosecution and consummation of the improvement contemplated by the provisions of this agreement.

(6) In the event of the City at any time or times undertaking the widening of any portion or portions of Carlton Street lying between a line distant one hundred and twenty-four feet four inches east of the easterly limit of Church Street, which line is marked "C" on the plan hereto annexed, and the easterly limit of Carlton Street at Riverdale Park, no portion of the lands which upon the carrying out of this agreement shall front or abut on the north side of Carlton Street between Yonge Street and the line marked "C" or which shall front or abut on the south limit of Carlton Street between Yonge Street and the westerly limit of the property of the Carlton Street United Church or the production northerly of such limit shall be assessed for or charged (except

by

by way of general taxation) with any portion of the cost of such widening or of the cost of any pavements, sidewalks, sewers, watermains or other public works or services constructed in connection with or as a result of such a widening.

(7) The Company shall have no claim and will not make any claim upon or against the City for any damages or compensation whatsoever on account of or resulting from the proposed work or any work done or undertaken as provided in this agreement, and the Company will indemnify and save harmless the City from any loss or expense in respect to any such claim that may be made against the City in respect to any lands abutting on the north side of Carlton Street between Yonge Street and the said line marked "C" or upon the south side of Carlton Street between Yonge Street and the westerly limit of the Carlton Street United Church property.

(8) Upon the said lands coloured red being conveyed to the City as hereinbefore provided the City shall forthwith proceed to construct as local improvement works, under the provisions of *The Local Improvement Act*, a pavement (exclusive of street railway track allowance) and curbs and sidewalks upon Carlton Street between the said lines marked "B" and "C" respectively on the annexed plan.

(8) This agreement shall take effect upon being validated by the Legislature of the Province of Ontario at its next session and if not so validated shall be null and void and neither party shall have any right or claim against the other in respect to the matters herein provided. Both parties will use their best endeavours to procure the enactment of legislation at the next session of the Legislature of the Province of Ontario to validate this agreement.

In witness whereof the said parties hereto have hereunto affixed their corporate seals and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED
in the presence of:

BERT S. WEMP,
Mayor.

H. REBURN,
Deputy Treasurer.

[CORPORATE SEAL]

THE T. EATON CO., LIMITED,

H. MCGEE,
Vice-President.

J. J. VAUGHAN,
Secretary-Treasurer.

[CORPORATE SEAL]

CHAPTER 131.

An Act respecting the City of Toronto.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Toronto has by petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act No. 2, 1931.*

Confirmation of certain grants.

2. The council of the corporation of the city of Toronto may out of current revenue for 1931 make grants of $5,000 to the Canadian Social Hygiene Council, $1,000 to the Citizens Service Association of Canada and $500 to the St. Elizabeth Visiting Nurses' Association.

Authority to issue debentures for certain purposes.

3. The council of the said corporation may from time to time without submitting same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the sum of $1,598,683, or any portion thereof, for the following purposes, namely,—

Building grant to the Toronto Orthopedic Hospital	$50,000
Extension of Pape Avenue storm sewer outlet south of Eastern Avenue	24,810
Construction of relief sewers	139,000
Extension of North Toronto Sewage Disposal Works	800,000
Replacement of Keating Street bridge over Don River	127,185
Construction or purchase of tug for water-works purposes	70,000
Construction of new fire halls	130,688
Construction of new police stations	192,000
Construction of swimming pool in Eglinton Park	65,000
	$1,598,683

4.

1909, c. 125, s. 2, subs. 10, and amendments thereof repealed.

4. Subsection 10 of section 2 of the Act passed in the ninth year of the reign of His late Majesty King Edward VII, chaptered 125 and all amendments thereto, are repealed and the following substituted therefor:

Pre-audit of accounts payable and countersigning of cheques.

(10) All progress and final certificates on contracts, pay sheets of departments and orders on the treasurer of whatever description shall be passed by the City Auditor before payment. The City Auditor, or, in the event of his illness or absence, the Deputy City Auditor, shall countersign all cheques issued by the Treasurer on any of the city's bank accounts; provided that the City Auditor may from time to time delegate to the Deputy City Auditor authority to countersign said cheques, and that the council may from time to time by resolution authorize some other official of the Audit Department to countersign cheques for salaries or wages only, or to countersign all cheques during the absence or illness of the City Auditor or Deputy City Auditor.

Establishment of garbage disposal plant outside municipal limits.

5. The said corporation may with the approval of the Department of Health for Ontario erect, maintain and operate buildings, machinery and plant for the disposal of garbage and other refuse outside the limits of the city of Toronto, and may acquire land for same, but the powers conferred by this section shall not be exercised without the consent of the council of the municipality in which it is proposed to erect, maintain and operate the said buildings, machinery and plant.

Replacement of Moore Ave. bridge.

6. The said corporation may enter into an agreement with the corporation of the township of East York and any other municipal corporation interested for the replacement of the existing bridge on Moore Avenue, and may undertake the construction of a new bridge pursuant to the provisions of such agreement, and the council of the said corporation may, without submitting the same to the electors qualified to vote on money by-laws, pass a by-law or by-laws for the issue of debentures to raise the portion of the cost of such new bridge to be paid by the said corporation under the provision of such agreement.

Acquiring land for future improvement of highways.

7.—(1) The said corporation may from time to time acquire any land that in the opinion of the council of said corporation may be necessary for any work of establishing, opening, laying out, extending, widening or diverting a highway or portions of a highway, although the corporation may not have undertaken the work for which the council considers such land necessary, and pending the time when

any

any land so acquired is actually required to be used for such work the corporation may hold such land and may use same for any purpose for which it is suitable to be used, or may lease or sell same.

Allocation of cost of lands acquired.

(2) Upon the council of the said corporation undertaking the work for or in connection with which land has been acquired and held by it as in subsection 1 provided, there shall be added to and form part of the cost of the work the cost of acquiring and holding the said land, or such portion thereof as is actually required for the work, and any portion of the land not actually required for the work shall be sold or otherwise disposed of by the corporation.

Special grant to the Art Gallery.

8. The council of the said corporation may out of current revenue for the year 1931 make a grant of $10,000 to the Art Gallery of Toronto for the maintenance and upkeep of the Art Gallery in addition to the annual grant authorized by section 2 of the Act respecting the said city passed in 1927 and chaptered 134.

Commencement of Act.

9. This Act shall come into force upon the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 132.

An Act respecting the Town of Weston.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the town of Weston has by its petition represented it to be desirable that its by-law number 614 and an agreement dated the 29th day of July, 1930, made between the said corporation and its council, the council and corporation of the county of York and the Toronto and York Roads Commission, and the debentures issued or to be issued under the said by-law should be confirmed; and whereas the said corporation by its said petition has also represented it to be desirable that sales of lands for taxes in the said town of Weston should be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Town of Weston Act, 1931.*

By-law No. 614 and debentures confirmed.

2. By-law number 614 passed by the corporation of the town of Weston on the 9th day of February, 1931, to provide for borrowing the sum of $38,671.60 upon debentures to pay for the cost of part of a pavement constructed on Dufferin Street in the said town as a local improvement, and all debentures issued or to be issued under the said by-law are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Agreement in schedule "A" confirmed.

3. The agreement dated the 29th day of July, 1930, made between the council and corporation of the county of York, the Toronto and York Roads Commission, and the said corporation and its council, set out in schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the parties thereto and the successors and assigns of them respectively.

Tax sales and conveyances confirmed.

4.—(1) All sales of land within the town of Weston made prior to the 31st of December, 1929, which purport to have

been

been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act.

5. The provisions of this Act other than section 4 shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1931.

SCHEDULE

SCHEDULE "A"

THIS AGREEMENT made in duplicate the 29th day of July, 1930.

BETWEEN:

THE COUNCIL OF THE TOWN OF WESTON,
hereinafter called the party
of the first part;

THE COUNCIL OF THE COUNTY OF YORK,
hereinafter called the party
of the second part;

THE TORONTO AND YORK ROADS COMMISSION,
hereinafter called the party
of the third part;

THE CORPORATION OF THE TOWN OF WESTON,
hereinafter called the party
of the fourth part;

—and—

THE CORPORATION OF THE COUNTY OF YORK,
hereinafter called the party
of the fifth part.

Whereas it is provided by *The Highway Improvement Act, 1927*, Chapter 54, Section 26, subsection 1, that the Council of any town may enter into an agreement with the Council of the County in which the said town is situated for the purpose of providing a wider pavement or other special construction upon a County Road within such town.

And whereas it is further provided that such agreement may provide that the cost of the work over and above the amount paid by the County under the provisions of the said Act and amendments thereto shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners to be specially benefited and against the township, town or incorporated village respectively according to the report of an engineer.

And whereas the County of York is prepared to pay the cost of constructing a sheet asphalt pavement on Dufferin Street, a County Road within the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street having a width of twenty feet (20').

And whereas Frank Marshall, Esquire, Engineer, has made a report in regard to the assessment of the cost, over and above the amount payable by the County as aforesaid, of constructing a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer, on Dufferin Street, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

Now therefore this agreement witnesseth that in consideration of the premises, the parties hereto agree as follows:

(1) The Toronto and York Roads Commission shall construct a thirty-two foot sheet asphalt pavement with curbs, gutters and storm sewer on Dufferin Street in the Town of Weston, from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(2) The County of York shall pay the cost of constructing a sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street.

(3) The cost of the said work, being the construction of the said thirty-two foot sheet asphalt pavement with curbs, gutters and storm

sewer,

sewer, over and above the amount paid by the County of York, under the provisions of *The Highway Improvement Act* and amendments thereto, being the cost of constructing the said sheet asphalt pavement twenty feet in width on Dufferin Street, a County Road within the Town of Weston from the easterly limit of Rosemount Avenue to the westerly limit of Jane Street, shall be assessed under and according to the provisions of *The Local Improvement Act* against the owners of land to be specially benefited and against the Town of Weston, respectively, according to the report of Frank Marshall, Esquire, Engineer.

(4) The Town of Weston shall pay the Contractor designated by The Toronto and York Roads Commission the balance of the contract price for the said work after deducting the County of York's share of the contract price of the said work on the basis hereinbefore provided, such payment to be made upon the Certificates of H. C. Rose, Engineer for The Toronto and York Roads Commission.

(5) Frank Marshall, Esquire, Engineer for the Town of Weston, shall consult with the said H. C. Rose, Engineer for The Toronto and York Roads Commission, in regard to the said work and assist him in the supervision thereof.

(6) The Town of Weston shall pay for the maintenance and repair of the said pavement including curbs, gutters and storm sewer, excepting the centre twenty feet of the said pavement.

This agreement is ratified and confirmed by the parties of the Fourth and Fifth Parts.

In witness whereof the said parties have this day affixed their corporate seals attested by the hands of the proper officers in that behalf.

THE COUNCIL OF THE TOWN OF WESTON and
THE CORPORATION OF THE TOWN OF WESTON.

(Sgd.) A. L. COULTER,
Mayor.

(Sgd.) H. G. MUSSON,
Clerk.

THE COUNCIL OF THE COUNTY OF YORK and
THE CORPORATION OF THE COUNTY OF YORK.

(Sgd.) E. G. FARR,
Warden.

(Sgd.) R. W. PHILLIPS,
Clerk.

THE TORONTO AND YORK ROADS COMMISSION,

(Sgd.) D. SPENCE,
Chairman.

(Sgd.) R. W. PHILLIPS,
Secretary.

CHAPTER 133.

An Act respecting the City of Windsor.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the city of Windsor has by its petition prayed for special legislation as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The City of Windsor Act, 1931.*

By-law No. 4001 and debentures confirmed.

2. By-law No. 4001 of the corporation of the city of Windsor, passed on the 30th day of June, 1930, for borrowing $87,686.49 upon debentures to pay for the construction of a street in extension of Tuscarora street, and the debentures issued or to be issued under the provisions thereof, are hereby ratified and confirmed and declared to be legal, valid and binding, upon the said corporation and ratepayers thereof.

Authority to acquire industrial sites and to sell and lease same.

3.—(1) The said corporation may, from time to time, without submitting the same to the electors qualified to vote on money by-laws, pass by-laws for acquiring lands within the said city and lands in the townships of Sandwich East and Sandwich West and for selling or leasing the same for the purpose of sites for the establishment and carrying on of industries and industrial operations and for borrowing a sum or sums not exceeding in the aggregate $300,000 by the issue of debentures, payable at any time or times within a period not exceeding thirty years from the date thereof, for paying the cost of the lands acquired or to be acquired for the said purposes.

Fixed assessments.

(2) The said corporation may also provide by by-law for the granting of fixed assessments to industries with respect to lands within the said city sold as industrial sites for a period not to exceed ten years without submitting the same to the electors of the said city qualified to vote on money by-laws.

(3) All moneys received from sales and rentals of the lands aforesaid shall be applied in payment in whole or in part of any annual instalment or instalments of any debt incurred under this section or in the purchase for cancellation of any general debentures of the said corporation. Application of proceeds of sale and rentals.

(4) The said corporation is hereby authorized to pass the necessary by-laws for the carrying out of the provisions above set forth and the provisions of *The Industrial Sites Act, 1929*, save as hereby varied and not inconsistent with the provisions of this section, shall apply to the said lands. Necessary by-laws authorized. 1929, c. 59.

(5) Any lands acquired in the townships of Sandwich East or Sandwich West for the purposes set out in this section shall, notwithstanding anything contained in *The Assessment Act*, be liable to assessment and taxation in the same manner and to the same extent as they would be if not owned by the corporation. Land liable to assessment and taxation.

4. The said corporation may, from time to time, without submitting the same to the electors of the said city qualified to vote on money by-laws, provide by by-law for the borrowing of a sum or sums not exceeding in the aggregate $150,000, by the issue of debentures to defray the cost to the said corporation of works undertaken by it to provide relief for unemployment. Authority for debentures for unemployment relief works.

5.—(1) All sales of lands within the said city made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or its treasurer, for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said city, purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the lands were sold. Tax sales and conveyances confirmed.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed. Pending litigation.

6. This Act, other than Section 5, shall come into force on the day upon which it receives the Royal Assent. Section 5 shall come into force on the 1st day of July, 1931. Commencement of Act.

CHAPTER

CHAPTER 134.

An Act respecting the Township of York.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1931.*

Annexation of part of Forest Hill.

2—(1) The lands hereinafter described, namely:

All and singular that certain parcel or tract of land and premises now situate, lying and being in the village of Forest Hill in the county of York and Province of Ontario and being composed of part of the original allowance for road known as Eglinton Avenue lying between township lots 26, 27 and 28 of concession III from the Bay and township lot 1 in the second concession west of Yonge Street all as shown on the plan of the original township of York; which said parcel may be more particularly described as follows: commencing at a point of intersection of the south limit of the said original allowance for road known as Eglinton Avenue with the centre line of the sideroad, known as Bathurst Street, lying between township lots 25 and 26 in the said concession III from the Bay; thence northerly along the northerly production of the centre line of the said Bathurst Street a distance of thirty-three feet (33′) to the centre line of the said original allowance for road known as Eglinton Avenue; thence westerly along the centre line of the said Eglinton Avenue a distance of three thousand seven hundred and seventy-five feet ten inches (3775′ 10″) more or less to the intersection with the southerly extension of the east limit of Lyon Avenue as shown on a plan registered in the registry office for the east and west ridings of the county of York at Toronto and numbered 1493; thence southerly along the southerly production

of

of the east limit of the said Lyon Avenue thirty-three feet (33′) more or less to the point of intersection with the south limit of the said original allowance for road known as Eglinton Avenue; thence easterly along the south limit of the village of Forest Hill as set out in by-law 1381 of the county of York passed on the 15th day of December, 1923, to the point of commencement,

now forming part of the village of Forest Hill are hereby detached therefrom and are annexed to and hereafter shall form part of the Township of York.

Effective date.

(2) Such annexation shall be deemed to have taken place and shall have effect on from and after the first day of January, 1931.

No adjustments to be made.

(3) There shall be no adjustment of assets and liabilities between the corporations of the said township and village consequent upon such annexation.

Period for assessment of income.

Rev. Stat., c. 238.

3.—(1) Notwithstanding the provisions of *The Assessment Act* the council of the corporation of the township of York may by by-law provide for taking the assessment of income between the first day of January and the fifteenth day of March in the year 1931, the rolls for such income assessment in such case being returnable to the clerk on or before the first day of April, 1931.

Appeals from income assessment Rev. Stat., c. 238.

(2) Any such by-law shall provide for holding of a court of revision for hearing appeals from any assessment of income in manner provided by *The Assessment Act* upon the return of such assessment roll to the clerk. The time for appeal to the court of revision shall be within ten days after the last day fixed for return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Income tax levy for current year.

(3) The assessment of income so made and completed in the year 1931, whether or not it is completed by the time herein provided, shall upon its fina' revision be the assessment of income on which the rate of taxation of income for such year shall be levied by the said council.

Effective date.

4. Section 3 shall be read and construed as having effect on, from and after the first day of January, 1931.

Application of unclaimed tax moneys.

5.—(1) The unclaimed moneys which now are or hereafter may be in the hands of the treasurer of the said township arising from duplicate payments of taxes and surplus moneys from tax sales may from time to time be transferred to and shall thereupon form part of the general funds of the said

corporation,

corporation, provided that any portion of the said moneys received in respect to lands now forming part of another municipality shall be paid over to the treasurer of such municipality (less its proportion of the cost of advertising, administering and transferring such moneys), to be used as the council of such municipality may direct.

Notice to persons to establish claims before application of such moneys.

(2) No such moneys shall be transferred or paid over until ninety days after the treasurer of the said township shall have inserted in two of the daily newspapers published in the city of Toronto a notice that a list with particulars of such unclaimed moneys has been prepared and is available for inspection at the treasurer's office and that all persons having claim to any of such moneys are required to prove their claims within the said period of ninety days. Any of such moneys to which a claim has not been established to the satisfaction of the said treasurer or in respect to which an action has not been commenced in court to recover the same within the said period of ninety days shall forthwith be transferred or paid over, as the case may be, as provided in subsection 1, free of and from any and all claims of any person whatsoever.

Application hereunder only after six years.

(3) No part of the moneys mentioned in subsection 1 shall be transferred or paid over under this section until the same have been in the hands of the said treasurer for a period of at least six years.

Tax sales and conveyances confirmed.

6.—(1) All sales of land within the township of York made prior to the 31st day of December, 1929, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same

manner

manner and as fully and effectually as if this Act had not been passed.

7. Section 3 of *The Township of York Act, 1926* (Chaptered 108), as amended by section 7 of *The Township of York Act, 1930* (chaptered 109) is further amended by striking out the figures "$5,000" in the fifth line of the said section as amended and inserting in lieu thereof the figures "$7,500." 1926, c. 108, s. 7, amended.

8. Subject to the provisions of any general or special Act which may be then in force requiring the assent of the electors of the said township before any part of it is annexed to an adjoining municipality, the Ontario Railway and Municipal Board on the application of the council of the corporation of the city of Toronto or of the council of the corporation of the said township may by order to take effect upon a day to be named therein annex to the city of Toronto the whole of the township of York on such terms and conditions as may be agreed upon between the said councils. Annexation to Toronto.

9. Section 6*a* of *The Weed Control Act* shall apply to the township of York. Application of s. 6*a* of Rev. Stat., c. 309.

10. The council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the corporation by the issue of debentures payable within a term not exceeding ten years such sum or sums as may be necessary to defray the cost of water meters or parts thereof heretofore or hereafter purchased to be used in any defined section or area of the said township or for the purposes thereof or of water consumers therein, and the whole of the said cost and of meeting the payment of the principal and interest of any such debentures shall be raised from water rates, but if at any time the moneys accruing from the said water rates shall prove insufficient for the purposes aforesaid, then, when and so often as the said deficiency shall occur, there shall be raised, levied and collected by the said corporation, by a special rate upon all the rateable property in such section or area, according to the then last revised assessment roll thereof, a sum sufficient to make good such deficiency. Debentures for water meters.

11. The council of the said corporation may from time to time by a vote of two-thirds of all the members of the council pass by-laws providing, in the case of any highway or portion of a highway named in the by-law, that no building on land fronting or abutting on such highway or portion thereof shall be erected or placed closer to the line of the highway than a distance to be fixed by the by-law, and it shall not be necessary that the distance shall be the same on Prescribing building line on highways.

all

all parts of the same highway, and the provisions of every such by-law shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act;* provided that no such by-law shall have any force or effect until the same is approved by the Ontario Railway and Municipal Board.

Rev. Stat., c. 233.

Power to issue debentures for street railway deficits.

12. Notwithstanding the provisions of section 4 of an Act respecting the said township passed in 1922, and chaptered 139 as the same has been amended or the provisions of sections 2 and 3 of *The Township of York Act, 1925*, and chaptered 121, or of any other special or general Act, the council of the said corporation may from time to time, without obtaining the assent of the electors qualified to vote on money by-laws, borrow upon the credit of the said corporation by the issue of debentures payable within a term not exceeding twenty years the amounts by which the revenues arising from the operation under the said Acts or either of them of a street railway to serve the inhabitants of any specified district or districts of the said township have failed or may hereafter up until and including the year 1935 fail to meet the full cost of such operation including maintenance, renewals, reserves and all capital and debt charges, but the whole of such amounts and of meeting the payment of the principal and interest of any such debentures shall be raised by a special rate imposed and levied upon all the rateable property within such specified district or districts.

By-law No. 10,442 and debentures confirmed.

13. By-law number 10,442 of the said corporation passed on the 12th day of December, 1929 to provide for the borrowing of $85,821.73 by the issue of debentures to pay for the cost of constructing sewers in and charged against sewerage area number 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,575 and debentures confirmed.

14. By-law number 10,575 of the said corporation passed on the 24th day of June, 1930, to provide for the borrowing of $42,823.85 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 1 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,627 and debentures confirmed.

15. By-law number 10,627 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of $23,219.73 by the issue of debentures to pay for the cost of the construction of certain street gradings and improvements thereon, and the debentures issued or to be issued

thereunder

thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,628 and debentures confirmed.

16. By-law number 10,628 of the said corporation passed on the 31st day of July, 1930, to provide for the borrowing of $19,519.94 by the issue of debentures to pay for the cost of the construction of street widenings, extensions and improvement thereon and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,659 and debentures confirmed.

17. By-law number 10,659 of the said corporation passed on the 9th day of October, 1930, to provide for the borrowing of $2,331.61 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in St. Clair Sewerage Area No. 2, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,726 and debentures confirmed.

18. By-law number 10,726 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of $7,950.65 by the issue of debentures to pay for the construction of a twelve inch watermain on Woolner Street and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,733 and debentures confirmed.

19. By-law number 10,733 of the said corporation passed on the 15th day of December, 1930, to provide for the borrowing of $5,290.03 by the issue of debentures to pay for the area's portion of the cost of the construction of service sewers in sewerage area number 2 and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,776 and debentures confirmed.

20. By-law number 10,776 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of $34,856.44 by the issue of debentures to pay for the cost of the construction of a piled retaining wall and railing along the banks of the Black Creek, and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law No. 10,777 and debentures confirmed.

21. By-law number 10,777 of the said corporation passed on the 22nd day of January, 1931, to provide for the borrowing of $9,914.52 by the issue of debentures to pay for the cost of the widening of certain portions of Vaughan Road, in the

township

township of York and the debentures issued or to be issued thereunder are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Commencement of Act.

22. This Act other than section 6 shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1931.

CHAPTER

CHAPTER 135.

An Act respecting the Algoma Central Railway.

Assented to April 2nd, 1931.

Preamble.

WHEREAS The Algoma Central and Hudson Bay Railway Company, a company duly incorporated by special Act of the Parliament of Canada, having its head office at the city of Sault Ste. Marie, has constructed a line of railway from the said city to Hearst on the Canadian National Railway, in the Province of Ontario, and a branch line thereof running southwesterly to Michipicoten Harbour in the said province; and whereas the said railway company owns all of the issued capital stock of Algoma Central Terminals, Limited, a company duly incorporated under the *Companies Act* of the Dominion of Canada, having its head office at the said city of Sault Ste. Marie and the said terminals company owns certain lands and premises, buildings, machinery, plant and equipment all situate in the Province of Ontario, and has leased the same, as well as after acquired property, to the said railway company for terminal facilities for a period of nine hundred and ninety-nine (999) years upon the terms and conditions set forth in a lease bearing date November 1st, 1912; and whereas The Lake Superior Corporation, a corporation organized under the laws of the State of New Jersey, one of the United States of America, owns all of the issued common stock of the said railway company and also owns all the issued capital stock of Algoma Steel Corporation Limited, a company duly incorporated under *The Companies Act* (Ontario) and carrying on the businesses of manufacturing and selling steel and other kindred products and other allied businesses in and about the said city of Sault Ste. Marie; and whereas the said railway company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, and $10,080,000 principal amount whereof or its equivalent in other currencies are now outstanding, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated July 1st, 1910, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas the said railway company has made an issue of second mortgage

R.S.C., c. 27.

Rev. Stat., c. 218.

6 per cent. fifty-year gold bonds, secured by trust deed in favour of United States Mortgage and Trust Company as trustee, dated August 14th, 1914, and $318,800 principal amount of such bonds are now outstanding, all of which are owned by The Lake Superior Corporation; and whereas the said terminals company has made an issue of first mortgage 5 per cent. fifty-year gold bonds, of which £1,025,900 principal amount are now outstanding, secured by a trust deed in favour of United States Mortgage and Trust Company as trustee, dated November 1st, 1912, and in and by the said trust deed and the said bonds The Lake Superior Corporation has guaranteed the due payment of the principal and interest of such bonds; and whereas The Royal Trust Company has been duly appointed trustee under all of said trust deeds in succession to the said former trustees; and whereas in the year 1916, consequent upon receivers having been appointed to the said railway and terminals companies by reason of default having been made by the said railway company in the payment of interest due upon its said bonds and in the payment of the rentals due to the said terminals company under the said lease, and by reason of default having been made by the said terminals company in payment of the interest due upon its said bonds, a scheme of arrangement and compromise was entered into between the said companies and their respective stockholders and bondholders and The Lake Superior Corporation with a view to the settlement of all outstanding questions between the said companies and the reorganization of the said railway company and the discharge of the receivers, which scheme of arrangement was ratified and confirmed by Act of the Parliament of Canada 6-7 Geo. V (1916), chapter 32; and whereas the said scheme of 1916 modified in some respects the provisions of the said trust deeds securing the first and second mortgage bonds of the said railway company and the first mortgage bonds of the said terminals company and the provisions of the lease from the said terminals company to the said railway company, but provided that the guarantee by The Lake Superior Corporation of the principal and interest of the first mortgage bonds of the said railway company and of the said terminals company should remain in full force and effect; and whereas the joint net earnings of the said railway and terminals companies as and from June 1st, 1914, applied in the order of priority established by the said scheme of 1916, have been at all times thereafter insufficient to pay in full the interest on the first mortgage bonds of the said terminals company and have been insufficient to pay in full the interest on the first mortgage bonds of the said railway company, and the arrears of interest accrued on the first mortgage bonds of the railway company amounted on December 1st, 1930 to $8,013,600 and the arrears of interest on the first mortgage bonds of the said terminals company amounted on February 1st, 1931, to

$1,759,931;

$1,759,931; and whereas doubts have arisen whether and to what extent the holders of the first mortgage bonds of the said railway and terminals companies can enforce the guarantee by The Lake Superior Corporation of the principal and interest of the said bonds prior to the respective dates of maturity of such issues of bonds in the years 1960 and 1962; and whereas it is difficult for The Lake Superior Corporation, faced by a contingent future liability the amount of which cannot now be definitely ascertained, to arrange on satisfactory terms any future financing of Algoma Steel Corporation Limited, and the future success of the said railway and terminals companies largely depends upon the success of Algoma Steel Corporation Limited; and whereas by a further scheme of arrangement by and between the said railway company, the said terminals company, the holders of the first mortgage bonds of such companies, and The Lake Superior Corporation prepared with a view to the settlement of all outstanding questions between the said companies and such bondholders, provision has been made *inter alia* for the rearrangement of the capital structure of the said railway company, the cancellation of the arrears of interest accrued upon the first mortgage bonds of the said railway company and the said terminals company, the cancellation of the arrears of rental accrued and the reduction of future rental under the said lease from the said terminals company to the said railway company, the surrender and cancellation of all such first mortgage bonds and the issue of new five per cent. first mortgage debenture stock and bonds of the said railway and terminals companies, not guaranteed by The Lake Superior Corporation either as to principal or interest; and whereas such new scheme of arrangement has been unanimously approved by extraordinary resolutions adopted at meetings of the holders of the first mortgage bonds of the said railway and terminals companies held in London, England, on January 16th, 1931; and whereas at a special general meeting of the shareholders of the said railway company held at the said city of Sault Ste. Marie on February 17th, 1931, the holders of the preferred and common shares of the said company present or represented at the said meeting, voting separately by classes, unanimously approved of such new scheme of arrangement; and whereas the directors of The Lake Superior Corporation by resolution unanimously adopted at a meeting of such directors held at the city of Montreal on the 19th day of December, 1930, have approved of the new scheme of arrangement; and whereas, pursuant to the terms of such new scheme of arrangement, a new company known as Algoma Consolidated Corporation Limited has been duly incorporated under the *Companies Act* of the Dominion of Canada and the holders of over seventy-five per cent. of the presently outstanding capital stock of The Lake Superior Corporation have deposited their shares for exchange for shares of preferred

R.S.C. c. 27.

and

and common stock of the new company on the basis set forth in the scheme, thereby evidencing their approval of the scheme; and whereas pursuant to the terms of such new scheme of arrangement the committee constituted by the scheme of 1916 to represent the holders of the first mortgage bonds of the said railway and terminals companies has required that an Act of the Legislature of the Province of Ontario be obtained confirming such new scheme of arrangement; and whereas the said railway and terminals companies and The Lake Superior Corporation have petitioned that the said new scheme of arrangement be ratified and confirmed by Act of the Legislature of the Province of Ontario, and have prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Algoma Central Railway Act, 1931.*

Scheme of arrangement confirmed.

2. The scheme of arrangement set out in schedule "A" to this Act is hereby ratified and confirmed and declared to be valid and binding upon The Algoma Central and Hudson Bay Railway Company, Algoma Central Terminals, Limited, the respective shareholders and bondholders of the said companies, the present and former trustees of the trust deeds securing the first mortgage bonds of the said companies, The Lake Superior Corporation and all other persons having any interest under the said trust deeds or directly or indirectly affected by the said scheme of arrangement in all respects whatsoever as fully and to the same extent as if the said scheme of arrangement and each and every clause thereof were set out at length and enacted in this Act and the said companies and the present trustees of the said trust deeds are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary to give full effect to the said scheme of arrangement.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

SCHEDULE

SCHEDULE "A"

THE ALGOMA CENTRAL AND HUDSON BAY RAILWAY COMPANY

ALGOMA CENTRAL TERMINALS, LIMITED

(Incorporated under the Laws of Canada)

SCHEME OF ARRANGEMENT

BETWEEN THE ABOVE COMPANIES, THE HOLDERS OF THE FIVE PER CENT. FIRST MORTGAGE GOLD BONDS ISSUED BY SUCH COMPANIES AND THE LAKE SUPERIOR CORPORATION

PRELIMINARY

1. The Loan and Share Capital of THE ALGOMA CENTRAL AND HUDSON BAY RAILWAY COMPANY (hereinafter referred to as "the Railway Company") is as follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds..... $10,080,000
(Hereafter called "the existing Railway Bonds").
Guaranteed as to principal and interest by The Lake Superior Corporation.

6 per cent. Second Mortgage 50-Year Gold Bonds..... 318,800
(All held by The Lake Superior Corporation).
There are also outstanding $288,000 of Equipment Trust Notes which have been guaranteed by the railway company as to principal and interest.

ISSUED SHARE CAPITAL:

5 per cent. Non-Cumulative Preference Stock..... 5,000,000
(Held as to 60 per cent. on trust by the Committee below referred to, and as to 40 per cent. by other parties).

Common Stock..... 5,000,000
(All owned by The Lake Superior Corporation but with the exception of Directors' qualification shares, held by the Committee below mentioned for voting purposes).

2. The Loan and Share Capital of ALGOMA CENTRAL TERMINALS, LIMITED (hereinafter referred to as "the Terminal Company") is as follows:—

LOAN CAPITAL:

5 per cent. First Mortgage 50-Year Gold Bonds..... £1,025,900
(Hereafter called "the existing Terminal Bonds").
Guaranteed as to principal and interest by The Lake Superior Corporation.

ISSUED SHARE CAPITAL:

Common Stock..... $100,000
(Owned by the Railway Company but with the exception of Directors' qualification shares, held by the Committee below mentioned for voting purposes).

3. By a Scheme of Arrangement approved by the holders of the Railway and Terminal Bonds and by The Lake Superior Corporation ,and ratified by an Act of the Canadian Parliament in 1916 (hereinafter referred to as "the Scheme of 1916") it was provided (*inter alia*):—

(i) That as from the 1st June, 1914, the joint net earnings as therein defined of the Railway and Terminal Companies in each year should be applied to the following purposes and in the following order of priority:—

(*a*) In paying to the Terminal Bondholders interest at the rate of 3 per cent. per annum on the existing Terminal Bonds for the year in question and interest at the like rate for any preceding year or years so far as interest thereon to that amount should not have been paid in respect of any such preceding year or years and in recouping to capital account any amounts expended out of capital after the 1st August, 1921, in payment of such interest.

(*b*) In paying interest up to 2 per cent. per annum for the year in question to the Railway Bondholders and interest up to a further 2 per cent. per annum for the year in question to the Terminal Bondholders on their respective holdings of existing Railway and Terminal Bonds *pari passu* as if they were one class of bond.

(*c*) In paying interest up to a further 3 per cent. per annum for the year in question to the Railway Bondholders on their existing Railway Bonds.

(*d*) In paying to the Railway Bondholders and the Terminal Bondholders any arrears of interest up to 5 per cent. per annum on their respective holdings of existing Railway and Terminal Bonds *pari passu* in proportion to the amount of the outstanding arrears on each issue.

(*e*) In providing the sinking fund for the existing Terminal Bonds for the year in question.

(*f*) In paying to the holders of the existing Railway Bonds further interest up to 1 per cent. per annum for the year in question and to the holders of the existing Terminal Bonds further interest up to one-half per cent. per annum for the year in question *pari passu* as if they were one class of Bond.

(ii) That after the 1st August, 1921, 1½ per cent. should be paid upon the existing Terminal Bonds in each half year, whether or not the joint net earnings might be sufficient to pay the same, and that any interest on the existing Railway Bonds or the existing Terminal Bonds not paid in any year should be cumulative and carried forward to subsequent years, but that, subject as aforesaid, the interest on the said issues of existing Bonds should only be payable if and to the extent that the joint net earnings were sufficient to pay the same.

(iii) That the guarantee by The Lake Superior Corporation of the principal and interest of the existing Railway Bonds and the existing Terminal Bonds should remain in full force and effect notwithstanding the Scheme of 1916 and that The Lake Superior Corporation should not be entitled to set up in answer to a claim under the said guarantee the fact that the interest on the said Bonds was under the Scheme as between the Bondholders and the Railway and Terminal Companies only payable out of joint net earnings but that no holder of existing Railway or Terminal Bonds should be entitled to take any steps to enforce the guarantee endorsed upon his Bonds without the written consent of the Bondholders' Committee below mentioned or the sanction of Extraordinary Resolutions of both the Railway and Terminal Bondholders passed at meetings of such Bondholders.

(iv) That a Bondholders' Committee (hereafter referred to as "the Committee") not exceeding five members should be constituted of whom three were to form a quorum and that the voting rights attached to the Stock of the Railway Company held by The Lake Superior Corporation and to the Stock of the Terminal Company held by the Railway Company should be vested in the Committee so long as the Committee should remain in existence.

(v) That $3,000,000 of Preference Stock of the Railway Company (representing 60 per cent. of the whole) should be issued as fully paid to the Committee or their nominees to be held by them as Trustees for the benefit of the Railway and Terminal Bondholders.

NOTE.—This Stock is held by the Committee on the terms of a Deed Poll, dated 26th January, 1917 and is represented by Trust Certificates which were issued by the Committee and distributed to the Railway and Terminal Bondholders in 1917.

4. The total arrears of interest accrued on the existing Railway and Terminal Bonds are as follows:—

Railway Bonds to 1st December, 1930	$8,013,600
Terminal Bonds to 1st February, 1931	1,759,931

Under the Scheme of 1916 these arrears rank as follows:—

First, there is payable to the Terminal Bondholders	249,636
The balance of the arrears due to the Railway and Terminal Bondholders rank *pari passu* according to the amount of the arrears outstanding but before payment of such arrears there must be recouped to capital account in refund of interest on the existing Terminal Bonds paid out of capital	622,240

These arrears are at present accumulating at the rate of $504,000 per annum on the existing Railway Bonds and $99.854 per annum on the existing Terminal Bonds.

5. The Capital of THE LAKE SUPERIOR CORPORATION is as follows:—

LOAN CAPITAL:

First Mortgage Collateral Trust 5 per cent. Bonds $5,278,000
The principal security for these Bonds is the deposit with Trustees of $5,800,000 five per cent. Purchase Money Bonds of the Algoma Steel Corporation, Limited.

ISSUED SHARE CAPITAL:

Common Stock (no par value shares) ..... 400,000 shares
(Part of a total of 800,000 shares authorized).

6. The Lake Superior Corporation has guaranteed principal and interest on the following Bonds in addition to the existing Railway and Terminal Bonds:—

First and Refunding Mortgage 5 per cent. Gold Bonds of the Algoma Steel Corporation Limited.

First Mortgage 5 per cent. Bonds of the Algoma Eastern Railway Company.

(The obligation of The Lake Superior Corporation under the guarantee of the latter Bonds has been assumed by the Canadian Pacific Railway Company).

7. The principal assets of The Lake Superior Corporation are its holdings in the Algoma Steel Corporation Limited (in which it owns the whole of the issued Share Capital and $5,800,000 of 5 per cent. Purchase Money Bonds) and certain cash and investments (including advances to the Steel Company) representing the proceeds of the sale to the Canadian Pacfic Railway Company at $110 per $100 share of the Shares in the Algoma Eastern Railway Company formerly held by The Lake Superior Corporation.

8. It is recognized by all parties that the success of the Railway and Terminal Companies is mainly dependent upon the success of the Algoma Steel Corporation Limited.

9.

9. The Capital of the ALGOMA STEEL CORPORATION LIMITED (hereinafter referred to as "the Steel Company") is as follows:—

LOAN CAPITAL:

5 per cent. Purchase Money Bonds (Deposited as collateral as above-mentioned).	$5,800,000
First and Refunding Mortgage 5 per cent. Gold Bonds (outstanding) (Authorized issue $30,000,000).	14,442,680

NOTE.—The Purchase Money Bonds of the Steel Company rank as a first charge on a part of the assets of the Steel Company. Subject thereto, the First and Refunding Bonds of the Steel Company are a first charge on the whole of the assets of the Steel Company.

ISSUED SHARE CAPITAL:

7 per cent. Cumulative Preference Stock	$10,000,000
Common Stock (The whole of the Share Capital is held by The Lake Superior Corporation with the exception of Directors' qualification shares).	15,000,000

SCHEME OF ARRANGEMENT

1. The Terminal Company shall realize the $900,000 of Bonds and $99,300 of Shares of the Algoma Eastern Terminals Limited held by it and forming part of the security for the existing Terminal Bonds and convert the same into cash and shall apply the cash so raised and the cash to be received from the Railway Company as mentioned in Clause 4 hereof and the necessary additional sum of cash (if any) out of the Terminal Company's own resources in redeeming at 70 per cent. of par 40 per cent. of the principal amount of each existing Terminal Bond outstanding. Each Terminal Bondholder shall accept such payment in full satisfaction of 40 per cent. of the principal amount of the Bonds held by him. Payment as aforesaid will become due within 60 days of the date upon which this Scheme becomes operative and shall be made against surrender of the Bonds for exchange under the terms of this Scheme payment in the case of Bonds surrendered for exchange in London, England, being made in sterling and in the case of Bonds surrendered for exchange in Canada in Canadian Dollars, sterling being converted into dollars and *vice versa* at the fixed rate of exchange of $4.8665 to the £.

2. The Terminal Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Debenture Stock and Bonds (hereafter referred to as "the New Terminal Securities") such Securities to carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 16 hereof.

3. Upon this Scheme becoming operative the holders of the existing Terminal Bonds shall be bound to surrender to the Terminal Company at places in London and Canada to be fixed by the Committee their existing Terminal Bonds and all coupons (other than coupons numbered 1 to 22, inclusive and any further coupon or coupons that may have been declared payable before this Scheme becomes operative) and to accept in exchange therefor and for all arrears of interest on the said Bonds new Terminal Securities for a nominal amount equivalent to the principal amount of the Bonds so surrendered after deducting therefrom the 40 per cent. of the principal amount of such Bonds which is to be redeemed as provided in Clause 1 hereof.

4. The Railway Company shall within 30 days after this Scheme becomes operative pay to the Terminal Company $100,000 in cash and in consideration thereof (*a*) the rent payable by the Railway Company under the lease of the Terminal properties shall as from the date on which this Scheme becomes operative be reduced by 40 per cent. and all arrears of rent accrued under such lease up to the date on which the Scheme becomes

operative

operative shall be cancelled and (*b*) the Terminal Company shall transfer to the Railway Company freed from the mortgage and charge securing the existing Terminal Bonds the whole of the properties of the Terminal Company at and near Michipicoten.

5. A new Company to be called Algoma Consolidated Corporation Ltd., or by some other name approved by the Directors of The Lake Superior Corporation shall be formed under the Laws of Canada or of one of the Provinces thereof (hereafter called "the Holding Company") which shall be capitalized as follows:—

$2,000,000, 7 per cent. Cumulative Preferred Stock.
800,000 Shares of no par value (of which the initial issue under this Scheme will be 600,000 Shares).

The Holding Company shall also create an issue of 5 per cent. Cumulative Income Debenture Stock and Bonds. The Income Debenture Stock and Bonds of the Holding Company shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 17 of this Scheme and the Preferred Stock of the Holding Company shall confer the rights and privileges specified in Clause 18 of this Scheme.

6 (*a*). The Railway Company shall create a new issue of Debenture Stock and Bonds to be called 5 per cent. First Mortgage Income Debenture Stock and Bonds (hereafter referred to as "the New Railway Securities") which shall carry interest, be redeemable and be secured in accordance with and confer the rights and privileges specified in Clause 15 of this Scheme.

(*b*) The present Preference and Common Share capital of the Railway Company shall be reorganized and reduced as follows, viz.: The $5,000,000 of 5 per cent. Non-Cumulative Preference Stock shall be reduced to $500,000 of 5 per cent. Non-Cumulative Non-voting Preference Stock redeemable at the option of the Railway Company in whole or part on three months' notice at par and the $5,000,000 of Common Stock shall be converted into 420,755 shares of $10 each.

7. Upon this Scheme becoming operative the holders of the existing Railway Bonds shall be bound to surrender at places in London and Canada to be fixed by the Committee their existing Railway Bonds and all coupons (other than coupons Nos. 1 and 2) and to accept in exchange for each £100, $500 or francs 2,575 of the nominal amount of the Bonds so surrendered and all arrears of interest on such Bonds:—

(*a*) $300 of the New Railway Securities referred to in Clause 6 of this Scheme;

(*b*) $150 of the Income Debenture Stock and Bonds of the Holding Company referred to in Clause 5 of this Scheme;

(*c*) Trust Certificates to be issued as referred to in Clause 11 of this Scheme representing 10 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (*b*) of this Scheme;

(*d*) Trust Certificates to be issued as referred to in Clause 12 of this Scheme representing 1/20617 of 200,000 Shares of Common Stock of the Holding Company;

and so in proportion for any Bond of larger or smaller nominal amount.

8 (*a*). The Holding Company shall offer to the Shareholders in The Lake Superior Corporation the right to exchange each Common Share of no par value in The Lake Superior Corporation held by them respectively for $5 par value of Preferred Stock and 1 Common Share of no par value of the Holding Company.

(*b*) The Holding Company shall at the request of The Lake Superior Corporation and at the direction of the Railway Company issue to the holders of existing Railway Bonds the Income Debenture Stock and Bonds

referred to in Clause 7 (*b*) hereof and to the Trustee referred to in Clause 12 hereof 200,000 Common Shares of no par value in the Holding Company as fully paid and in consideration of the issue of such Income Debenture Stock and Bonds the Railway Company shall issue to the Holding Company New Railway Securities to a nominal amount of $4,123,400.

9. In consideration of the holders of the existing Railway and Terminal Bonds agreeing to this Scheme The Lake Superior Corporation shall transfer and the Committee at the request of The Lake Superior Corporation shall transfer to the Trustee specified in Clause 11 of this Scheme 420,755 Shares of the Common Stock of the Railway Company when reorganized as provided in Clause 6 (*b*) of this Scheme to be held on the trusts and conditions therein referred to.

10. As consider tion to the Holding Company for the issue of the Common Shares referred to in Clause 8 (*b*) hereof The Lake Superior Corporation shall transfer or procure to be issued to the Holding Company the following assets:—

(*a*) Trust Certificates representing 214,585 Shares of Common Stock of the Railway Company when reorganized as provided in Clause 6 (*b*) hereof;

(*b*) $318,800 Second Mortgage 6 per cent. Bonds of the Railway Company;

(*c*) One-third of the entire interest of The Lake Superior Corporation in The Northern Ontario Lands Corporation, Limited;

(*d*) One-third of the cash proceeds of sale of the Shares of Algoma Eastern Railway Company or of the investments including advances to the Steel Company representing such proceeds at the date of transfer;

(*e*) One-third of the entire issued Share Capital of the Steel Company.

10*a*. As further consideration for the part taken by the Holding Company in carrying out this Scheme, The Lake Superior Corporation shall pay to the Holding Company in each year a sum of $100,000 or such less sum as shall represent the net earnings received by The Lake Superior Corporation in that year in the event of such net earnings being less than $100,000, provided that such obligation by The Lake Superior Corporation to make such payments to the Holding Company shall cease as soon as the New Railway Securities to be received by the Holding Company under this Scheme shall have been disposed of by the Holding Company or so soon as the Holding Company shall receive in any one year interest amounting to $100,000 or more on such New Railway Securities whichever of these two dates shall be the earlier.

11. 420,755 Shares of the Common Stock in the Railway Company when reorganized as provided in Clause 6 (*b*) hereof shall be transferred out of the names of the Committee or their nominees into the name of a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial ownership in the said Shares of Common Stock and the proceeds of sale thereof in the holders of such Trust Certificates but subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee the voting rights attaching to the said Shares of Common Stock and such voting rights shall until the interest on the New Railway Securities has become a fixed charge be exercised by the Trustee in such manner as the New Committee hereinafter mentioned may direct and after the interest on the New Railway Securities has become a fixed charge then in such manner as the Directors of the Holding Company may direct, with power to the party entitled for the time being to control the said voting power to sell

the said Common Stock or any part thereof or to agree to any schemes for the amalgamation, merger, reconstruction or reorganization of the Railway Company provided that such powers shall be exercisable by the New Committee only with the concurrence of the Directors of the Holding Company. The said Trust Deed shall make provision for enabling the necessary shares required to qualify Directors or to preserve the corporate existence of the Railway Company to be put in the names of a nominee or nominees of the Trustee on such terms as the Trustee may approve or, if necessary, to comply with the law of Canada may provide for the release of such shares from the Trusts of the said Trust Deed. The said Trusts shall continue in force until the said Common Stock has been sold or until the interest on the New Railway Securities has become a fixed charge or until all such securities have been repaid (whichever shall first happen) and shall be terminated as soon as reasonably possible thereafter, and thereupon the Trust property shall be distributed among the holders of the Trust Certificates.

12. The 200,000 Shares of Common Stock of the Holding Company referred to in Clause 8 (*b*) hereof shall be issued to a Canadian Trust Company to be selected by the Committee to be held by such Trust Company as Trustee on the terms of a Trust Deed under which Trust Certificates will be issued by the Trustee to the parties entitled to the same under the terms of this Scheme vesting the beneficial interest in the said Shares of Common Stock of the Holding Company in the holders of such Trust Certificates subject to the terms of the said Trust Deed. Such Trust Deed shall reserve to the Trustee so long as the said Shares of Common Stock are held by the Trustee the voting rights attaching to the said Shares and such voting rights shall subject as below provided be exercised by the Trustee in such manner as the New Committee may direct with power for the New Committee to agree to any schemes for amalgamation, merger, reconstruction, reorganization or financing of the Holding Company or the Steel Company. The said Trust Deed shall further compel the Trustee on the instructions of the New Committee or of the Directors of the Holding Company and without the consent or approval of the holders of the Trust Certificates to terminate the Trust at any time. The said Trust Deed shall also reserve to the Directors of The Lake Superior Corporation the right to require by resolution that the voting power on the said Shares of Common Stock of the Holding Company shall with regard to election of Directors of the Holding Company be used as directed by the Directors of The Lake Superior Corporation subject only to the provisions of the next following clause of this Scheme. Failing earlier termination as hereinbefore provided if and when the interest on the New Railway Securities has become a fixed charge or when the New Railway Securities shall have been paid off in full (whichever shall first happen) the Trusts of the said Trust Deed shall be terminated and the Trust property distributed among the holders of the Trust Certificates.

13. Provision shall be made to the satisfaction of the Committee to secure that until the interest on the New Railway Securities shall have become a fixed charge or until all such securities shall have been paid off whichever shall first happen the New Committee shall have the right to be represented on the Boards of the Holding Company The Lake Superior Corporation and of the Steel Company respectively by at least two, Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors, one of whom shall in each case be a member of the Executive Committee.

14. Provision shall be made in the Trust Deed referred to in Clause 11 hereof to secure that so long as the New Committee is entitled to control the voting power of the Common Stock of the Railway Company the Holding Company shall have the right to be represented on the Boards of the Railway and Terminal Companies respectively by at least two Directors in the case of each such Company if the total number of Directors of such Company does not exceed eight and otherwise by three Directors one of whom shall in each case be a member of the Executive Committee.

15. The New Railway Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Railway Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Railway Company shall have the right

to repay the whole or any part of the New Railway Securities at par plus accrued interest at any time on three months' notice. Interest on the New Railway Securities shall be payable at the rate of 5 per cent. per annum and shall commence to accrue as from the 31st day of December, 1930. Unless and until the Auditors of the Railway Company shall have certified that the net earnings of the Railway Company (including surplus net earnings of the Terminal Company if any beyond the amount required to pay the interest due on the New Terminal Securities) for three consecutive financial years of the Railway Company have been sufficient after providing for depreciation to pay in full the current interest on the New Railway Securities the interest on the New Railway Securities shal only be payable if and to the extent that such net earnings are sufficient to pay the same but such interest shall be cumulative and so long as the same is contingent upon the net earnings as aforesaid the same shall only be payable annually after the accounts of the Railway Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Railway Company making interim payments if they think it advisable to do so. After the said certificate of the auditors of the Railway Company shall have been given the interest on the New Railway Securities as from the end of the said three financial years shall be payable in any event and shall be so paid half yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net earnings remaining in any year after providing for the interest payable in respect of that year and before payment of any dividend on any part of the Share Capital of the Railway Company. The New Railway Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the assets of the Railway Company other than the properties at and near Michipicoten referred to in Clause 4 hereof which properties shall be excepted from any mortgage or charge created by the said Trust Deed.

16. The New Terminal Securities shall mature for payment on the 31st day of December, 1959, and the total nominal amount of the New Terminal Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Terminal Company shall have the right to repay the whole or any part of the New Terminal Securities at par plus accrued interest at any time on three months' notice. The interest on the New Terminal Securities shall be payable half-yearly on the 30th day of June and the 31st day of December in each year. The first payment of interest shall be due on whichever of the said dates occurs next after the date on which this Scheme becomes operative and shall be calculated from the date down to which interest at the rate of 3 per cent. per annum on the existing Terminal Bonds shall have been declared payable pursuant to the Scheme of 1916. The New Terminal Securities shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall so far as Canadian Law will permit be secured as a First Mortgage and charge upon the existing assets of the Terminal Company (other than those to be realized or transferred to the Railway Company pursuant to this Scheme) subject to and with the benefit of the lease thereof to the Railway Company as modified pursuant to this Scheme.

17. The Income Debenture Stock and Bonds of the Holding Company shall mature for payment on the 31st day of December, 1959, and the total nominal amount of such Securities to be issued shall be the amount required to be issued for the purposes of this Scheme. The Holding Company shall have the right to repay the whole or any part of the said Securities at par plus accrued interest at any time on three months' notice. The interest on the said Securities shall commence to accrue as from the 31st December, 1930. Unless and until the interest on the New Railway Securities shall have become a fixed charge as provided in Clause 15 hereof the interest on the Income Debenture Stock and Bonds of the Holding Company in respect of any year shall only be payable if and to the extent that the interest in respect of that year received by the Holding Company on the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (*b*) hereof shall be sufficient to provide for the same or to the extent that the Auditors of the Holding Company shall certify that the net Income of the Holding Company is sufficient to pay such

interest,

interest, whichever be the greater, but such interest shall be cumulative. So long as the said interest is contingent as aforesaid the same shall only be payable annually after the accounts of the Holding Company for each year shall have been made up and audited but nothing herein contained shall prevent the Directors of the Holding Company making interim payments if they think it advisable to do so and they shall be bound to do so if and to the extent that the interest paid on the New Railway Securities to be issued to the Holding Company as aforesaid shall be sufficient to meet the interest on the said Income Debenture Stock and Bonds of the Holding Company. After the interest on the New Railway Securities shall have become a fixed charge the interest on the Income Debenture Stock and Bonds of the Holding Company shall also become a fixed charge and shall thereafter be payble in any event half-yearly on the 30th day of June and 31st day of December in each year. Any arrears of interest previously accrued and not paid shall be payable out of any surplus net income of the Holding Company remaining in any year after providing for the interest payable on such Debenture Stock and Bonds for that year and before payment of any dividend on any part of the share capital of the Holding Company but subject to making such reserves, not exceeding 50 per cent. of such surplus net income, as the Directors of the Holding Company may think necessary. The Income Debenture Stock and Bonds of the Holding Company shall be secured by a Trust Deed in favour of a Canadian Trust Company to be approved by the Committee and shall be secured as a Specific First Mortgage and charge upon the whole of the New Railway Securities to be issued to the Holding Company as provided in Clause 8 (*b*) hereof which Securities shall not be sold or realized without the written consent of the Trustee of the Trust Deed securing the Income Debenture Stock and Bonds of the Holding Company. Save as aforesaid the Income Debenture Stock and Bonds of the Holding Company will not be secured by any charge upon the assets of the Holding Company. The said Trust Deed shall also provide that so long as any of the Income Debenture Stock and Bonds of the Holding Company are outstanding the Holding Company shall not apply any part of its assets in redeeming or purchasing any Preferred Stock of the Holding Company and that no dividend on such Preferred Stock or on any other Share Capital of the Holding Company shall be paid so long as any interest on the Income Debenture Stock and Bonds of the Holding Company is accrued due and unpaid.

18. The Preferred Stock of the Holding Company shall confer upon the holders thereof the right to a fixed cumulative preferential dividend at the rate of 7 per cent. per annum, commencing from the 31st day of December, 1930, and on a winding-up to repayment of capital with any arrears or deficiency of the said dividend but no further rights to participate in profits or assets and the said Stock shall be preferential both for dividend and capital over the Common Stock. Power shall be reserved to the Holding Company to redeem the whole or any part of the said Preferred Stock at par plus accrued dividend or to purchase the same at or below that price. The Preferred Stock shall not confer upon the holders thereof any right to attend or vote at any General Meeting of the Holding Company.

19. The Trust Deeds to secure the New Railway and Terminal Securities and the Income Debenture Stock and Bonds of the Holding Company shall respectively contain appropriate provisions for keeping in both England and Canada Registers of the said Securities and for enabling any holder registered on one Register to transfer to another and for enabling holders of Bonds against surrender of the same to receive Debenture Stock of an equivalent amount and for enabling holders of Debenture Stock on surrender of Debenture Stock equivalent to one or more Bonds to require delivery to them of Bearer Bonds for an equivalent amount. Any Bondholder or Debenture Stockholder requiring such exchange shall pay all expenses of and incident thereto including stamp taxes (if any) and any fraction of £1 or $1 resulting from any such exchange shall be ignored.

20. The principal and interest of the New Railway Securities of the New Terminal Securities and of the Income Debenture Stock and Bonds of the Holding Company shall be payable at the option of the holder either in Sterling in London or in Canadian Gold Dollars in Montreal, Canada,

at the fixed rate of exchange of $4.8665 to the £, except that in the case of Registered Debenture Stock principal and interest in respect of Debenture Stock registered on the Canadian Register shall be payable in Dollars and principal and interest in respect of Debenture Stock registered on the Register in England shall be payable in Sterling. The said Securities shall respectively be issued in such denominations and expressed in Sterling or Dollars as may be convenient for the purpose of giving effect to the issue and exchange of the said respective Securities pursuant to the provisions of this Scheme and both principal and interest shall in all cases be payable without deduction for any tax or taxes which the Railway Company the Terminal Company or the Holding Company as the case may be may be required or permitted to pay thereon or retain therefrom under any present or future law of the Dominion of Canada or of any Province or Municipality thereof.

21. The New Railway and Terminal Securities shall not be guaranteed as to either principal or interest by The Lake Superior Corporation.

22. Any holder of existing Bonds of the Railway Company or of the Terminal Company whose existing Bonds are not stamped in accordance with English Law or who desires to receive in exchange Bearer Bonds for any of the New Securities to which he may be entitled under the provisions of this Scheme shall be bound to carry out the exchange and accept delivery of the New Securities in Canada unless he shall on making the exchange in London pay to the Company concerned all stamp duties payable under English Law.

23. If any Bondholder is unable to surrender any coupon which should be surrendered pursuant to this Scheme he shall at his own expense give to the Railway or Terminal Company as the case may be and to The Lake Superior Corporation and (if required) to the Trustee of the Trust Deed under which such coupon was issued an indemnity satisfactory to them as a condition of receiving the New Securities to which he may be entitled under this Scheme.

24. On this Scheme becoming operative the existing Terminal and Railway Bonds and coupons to be surrendered shall cease to confer upon the holders thereof any right whatever other than a right to receive the cash to be paid and or the New Securities to be issued in respect thereof, the whole, as provided by this Scheme and the Coupons Nos. 1 to 22, inclusive, mentioned in Clause 3 hereof and the Coupons Nos. 1 and 2 mentioned in Clause 7 hereof shall cease to confer upon the holders thereof any right whatever other than a right to receive against surrender of such respective coupons out of the moneys in the hands of the Committee or the Terminal or Railway Company as the case may be appropriated for that purpose payment of the amounts of interest on the existing Terminal Bonds or the existing Railway Bonds declared payable in respect of such respective coupons prior to the date on which this Scheme became operative.

25. The Trustees of the Deeds of Mortgage and Trust securing the existing Railway and Terminal Bonds shall if required by the Committee or by the Directors of The Lake Superior Corporation (subject to payment of their remuneration and proper costs, charges and expenses, but irrespective of whether the existing Bonds and coupons have been surrendered as provided in this Scheme) surrender and cancel all mortgages and charges securing such Bonds, and the Railway and Terminal Companies shall respectively execute and deliver new Deeds of Mortgage and Trust to secure the New Railway and Terminal Securities as provided by this Scheme.

26. Any holder of a Railway or Terminal Bond who has not obtained the new coupon sheets issued pursuant to the Scheme of 1916 shall surrender all coupons which he should have surrendered pursuant to the Scheme of 1916 and shall be entitled thereupon to receive in cash out of the funds in the hands of the Committee or the Railway or Terminal Companies as the case may be any interest declared payable in respect of such Bonds prior to the date on which this Scheme became operative.

27. The Railway and Terminal Bondholders shall accept the cash and/or new Securities to which they are respectively entitled under the terms of

this

this Scheme in full satisfaction of all claims against the Railway or, Terminal Companies and against The Lake Superior Corporation in respect of its guarantees of the Railway and Terminal Bonds whether in the Deeds of Mortgage and Trust securing such Bonds or as endorsed upon the said Bonds and whether as originally given or as modified by the Scheme of 1916 and in respect of its guarantees of principal and interest whether now due or hereafter to become due on such Bonds, and The Lake Superior Corporation shall, in consideration of carrying out the provisions of this Scheme binding on it, be released from all liability, both present and future, in respect of its said guarantees, which guarantees shall on the carrying out by The Lake Superior Corporation of its obligations under Clauses 8 (*b*), 9 and 10 of this Scheme, and on the carrying out of the Holding Company of its obligations under Clause 8 (*b*) of this Scheme, cease to have any further effect. Pending the carrying out of the said respective obligations and provided the same is done within the time limited by Clause 36 of this Scheme, no Bondholder nor the Trustees for the Railway or Terminal Bondholders shall be entitled to take any action against The Lake Superior Corporation in respect of its liability on the said guarantees or either of them.

28. The Lake Superior Corporation shall not make any claim against the Railway Company and/or the Terminal Company and/or against any holder of the existing Railway or Terminal Bonds to be subrogated to the rights of the Bondholders in respect of any part of the consideration provided by The Lake Superior Corporation as referred to in this Scheme, or any other claim of any kind whatsoever.

29. The remuneration and proper costs, charges and expenses of the Trustees of the Trust Deeds securing the existing Railway and Terminal Bonds and the proper costs of the Railway and Terminal Companies and all the costs, charges and expenses incurred and to be incurred by the Committee of and incident to the preparation and carrying into effect of this Scheme shall be paid by the Railway Company. The certificate of the Committee as to the amount of any such remuneration, costs, charges and expenses shall be conclusive and the same shall be allocated to capital or as part of the working expenditure as the Board of the Railway Company may determine. The Lake Superior Corporation shall repay 60 per cent. of such remuneration costs, charges and expenses to the Railway and Terminal Companies but so that its liability under this clause shall be limited to £15,000.

30. Upon this Scheme becoming operative and upon the execution by the Railway and Terminal Companies of the Trust Deeds to secure the New Railway and Terminal Securities all mortgages and charges upon any of the assets of the Railway and Terminal Companies to secure the existing Railway or Terminal Bonds shall be conclusively deemed to have been released and discharged and the Trust Deeds securing the existing Railway and Terminal Bonds shall no longer be of any force or effect. Without prejudice to the foregoing provision all necessary documents shall be executed by the Trustees of the said Trust Deeds, the Railway Company, the Terminal Company, The Lake Superior Corporation and any other parties, whether by way of modification or cancellation of existing documents or otherwise for carrying this Scheme (with such modifications if any as may be imposed or approved by the Parliament of Canada or by the Legislature of the Province of Ontario) into effect. The Committee may approve what documents are required to give effect to this Scheme. Any document executed to give effect to this Scheme which is in a form approved by the Committee, or any action taken at the request or with the approval of the Committee to carry out this Scheme, shall be deemed to be in order and to be in accordance with the provisions of this Scheme, and the said Trustees, the Railway and Terminal Companies, The Lake Superior Corporation, the Holding Company, and the Committee executing or approving any such document or taking any such action, shall be protected from liability accordingly. In this Scheme the words "the Committee" shall mean a majority of the members of the Committee.

31. It shall be a condition of the right of any Railway or Terminal Bondholder to participate in the benefits of this Scheme that he shall surrender when required by the Committee and at places to be appointed by the Committee his existing Railway or Terminal Bonds and coupons

for exchange as aforesaid, but this Scheme is not to be conditional upon the said Bonds, and coupons being so surrendered but (subject as below provided) shall be binding upon all holders of the said Bonds whether surrendered or not.

32. The powers of the Committee shall cease at some date to be determined by the Committee when they are satisfied that all necessary arrangements have been made and that all necessary documents have been executed to carry out this Scheme. The Committee shall be entitled to be paid by the Railway Company for their services in negotiating and carrying into effect this Scheme reasonable remuneration to be agreed between the Committee and the Directors of the Railway Company such remuneration to be charged as part of the working expenses of the Railway Company.

33. After this Scheme has become operative the Scheme of 1916 shall cease to have effect but so that this Clause shall not affect the continuation of the Committee and the exercise of its powers for the purposes of carrying out and giving effect to this Scheme, but only to the extent that the Committee may deem necesssary for that purpose.

34. The expression "the New Committee" shall mean a committee to represent the holders of the New Railway Securities which shall be constituted by the Trust Deed securing the New Railway Securities, which Trust Deed shall lay down how such committee is to be constituted and remunerated, how vacancies are to be filled and how the proceedings of the New Committee are to be conducted and regulated. Provided always that the first members of the New Committee shall be those members of the Committee in office at the date when this Scheme shall become operative and that power shall be reserved to the holders of the New Railway Securities at a meeting of such holders duly convened and held in accordance with provisions to be inserted in the Trust Deed securing the New Railway Securities to remove or appoint members of the New Committee and to amend any of the provisions of such Trust Deed relating to the matters above mentioned. The New Committee shall remain in office until the interest on the New Railway Securities has become a fixed charge or until the New Railway Securities have been repaid, whichever shall first happen, whereupon the powers of the New Committee shall cease.

35 (*a*). The expression "net earnings" as applied to the Railway Company shall mean the gross earnings and receipts of the Railway Company (including any surplus earnings of the Terminal Company remaining after meeting the obligations of the Terminal Company in respect of the New Terminal Securities and other outgoings) from all sources on revenue account as distinguished from capital account less all working expenditure as defined by the Railway Act of Canada and less the remuneration and expenses of the New Committee and such sums for expenses depreciation contingencies or otherwise as may be agreed between the Directors of The Lake Superior Corporation and the Directors of the Railway Company or as failing agreement may be settled by a single Arbitrator to be appointed by the President for the time being of the Dominion Association of Chartered Accountants (of Canada). The certificate of the Auditors of The Railway Company as to the net earnings of the Railway Company of any year shall be conclusive.

(*b*) The expression "net income" as applied to the Holding Company shall mean the gross earnings and receipts of the Holding Company from all sources on revenue account as distinguished from capital account less all operating and administration expenses properly chargeable to revenue and less interest and Sinking Fund (up to 2 per cent. of their par value) payable in respect of any debts or obligations of the Holding Company other than the Income Debenture Stock and Bonds of the Holding Company and less a reasonable sum for any other expenses depreciation contingencies or otherwise to be agreed between the New Committee and the Directors of the Holding Company or failing agreement to be settled by a single Arbitrator to be appointed by the President for the time being of The Dominion Association of Chartered Accountants (of Canada).

(*c*) In the case both of the Railway Company and the Holding Company the Board of Directors shall with the approval of the New Committee be entitled to carry forward to the following year any sum not exceeding 1 per cent. of the total amount of the New Railway Securities or the Income Debenture Stock and Bonds of the Holding Company for the time being outstanding as the case may be instead of applying such sum in payment of interest under this Scheme.

(*d*) If The Lake Superior Corporation shall be placed in liquidation or shall be dissolved then any right which under the provisions of this Scheme is to be exercised or any consent or approval which under such provisions is to be given by the Directors of The Lake Superior Corporation shall thereafter be exercised or given by the Directors of the Holding Company.

36. This Scheme shall only become operative:—

(*a*) When all necessary resolutions of the Shareholders of the Railway and Terminal Companies and of any class of such Shareholders shall have been passed.

(*b*) When there shall have been deposited with the Committee for exchange under this Scheme, 75 per cent. in nominal value of all the existing Bonds of both the Railway and Terminal Companies or such smaller percentage of either or both of the said Bond issues as may be approved by the Committee and the Directors of The Lake Superior Corporation.

(*c*) When arrangements satisfactory to the Committee shall have been made for the sale of the Bonds and Shares of the Algoma Eastern Terminals Limited referred to in Clause 1 hereof for a sum approved by the Committee such approval not to be withheld in the case of a price of par plus accrued interest or any higher price.

(*d*) When the same has been approved by the Railway and Terminal Bondholders by Extraordinary Resolutions passed at meetings of such Bondholders summoned and held pursuant to the provisions of the Trust Deeds securing the existing Railway and Terminal Bonds and provided that a Certificate by the Chairman of the respective meetings shall be conclusive evidence of the due passing thereat of the said respective Resolutions.

(*e*) When the same has been approved by a Resolution passed at a meeting of the Directors of The Lake Superior Corporation duly convened and held, and a copy of such Resolution certified true by the Secretary under the Seal of The Lake Superior Corporation has been delivered to the Committee.

(*f*) When the holders of at least 75 per cent. or such smaller percentage as may be approved by the Committee and the Directors of The Lake Superior Corporation of the Shares of The Lake Superior Corporation shall have deposited their said Shares with the Holding Company or with a Trust Company approved by the Committee for exchange for Preferred Stock and Common Shares of the Holding Company as provided in Clause 8 (*a*) of this Scheme as to which a certificate by the Secretary of the Holding Company or by the said Trust Company as the case may be shall be conclusive evidence.

(*g*) When an Act of the Parliament of Canada and (if so required by the Directors of The Lake Superior Corporation or the Committee) of the Legislature of the Province of Ontario has been obtained confirming this Scheme.

(*h*) When the Committee shall certify that they are satisfied that the aforesaid conditions have been complied with and that the Holding Company has been formed. For the purposes of this clause the certificate of a Canadian lawyer selected by the Committee and approved by the Directors of The Lake Superior Corporation that

proper releases of all of the mortgages and charges securing the existing Railway and Terminal Bonds have been deposited and registered at the appropriate offices shall be taken as conclusive evidence that the provisions of Clause 25 hereof have been complied with so far as the surrender and cancellation of all mortgages and charges securing the said respective Bonds is concerned.

And unless the above conditions shall have been complied with not later than the 30th day of April, 1931, or such later date as may be agreed in writing between the Committee and the Directors of The Lake Superior Corporation, this Scheme shall be void and of no effect, and all parties shall be remitted to their original rights as if this Scheme had never been prepared.

37. In the event of any discrepancy between the English and French texts of this Scheme the English text shall prevail.

Dated, 25th November, 1930.

CHAPTER 136.

An Act respecting the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada.

Assented to April 2nd, 1931.

Preamble. WHEREAS the Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, has by its petition represented that it was incorporated by an Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, entitled *An Act to incorporate the Roman Catholic Bishops of Toronto and Kingston, in Canada, in each diocese*, and that by an Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and by an Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, certain further powers were conferred on the said corporation; and whereas doubts have arisen as to the power of the said corporation to borrow money on the credit of the corporation and to sign, draw, endorse, make and issue promissory notes, bills of exchange, guarantees, bonds, debentures and obligations, and to mortgage, charge, hypothecate and pledge the real and personal property of the corporation; and whereas the said corporation has prayed that the said Acts may be amended so as to remove said doubts; and whereas it is expedient to grant the prayer of the said petition;

1845, c. 82. 1881, c. 86. 1884, c. 92.

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The Roman Catholic Episcopal Corporation (Diocese of Toronto) Act, 1931.*

Borrowing power. **2.** The Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada, may borrow money on the credit of the corporation in such amounts, on such terms and from such persons, firms or corporations, including chartered banks, as may be determined by the corporation.

3.

Promissory notes, etc.

3. The said corporation may make, draw and endorse promissory notes or bills of exchange.

Guaranty of obligations of others.

4. The said corporation may guarantee, with or without security, upon such terms as it may determine any debts of, the performance of any obligations of, and the repayment of any advances made to, or for the purposes of any Roman Catholic corporation, organization, association or society engaged in activities in or partly in the diocese of Toronto or any officers thereof or any pastor of a parish in the diocese of Toronto, and notwithstanding that any such corporation, organization, association or society may not have power to borrow money, any such guarantee shall be valid and binding upon the said corporation in the same way as if such corporation, organization, association or society had power to borrow money.

Security for moneys borrowed or for guarantees.

5. The said corporation may hypothecate, pledge or charge any or all the personal property of the corporation to secure any money so borrowed or the fulfilment of any guarantee entered into by it or the fulfilment of the obligation incurred by it under any promissory note or bill of exchange signed, made, drawn or endorsed by it.

Issue of bonds, etc.

6. The said corporation may issue bonds, debentures and obligations on such terms and conditions as the corporation may decide and may pledge or sell such bonds, debentures and obligations for such sums and at such prices as the corporation may decide, and may mortgage, charge, hypothecate or pledge all or any part of the real or personal property of the corporation to secure any such bonds, debentures and obligations.

Manner of execution of notes, bonds, securities, etc.

7. Notwithstanding any of the provisions of any of the above-recited Acts, every such promissory note, bill of exchange, guarantee, instrument of hypothecation, charge or pledge of personal property, bond, debenture and obligation made, drawn, signed or endorsed by the Archibishop of the said diocese on behalf of the corporation under the corporate seal of the corporation shall be legal, valid and binding upon the corporation, and the execution of any guarantee in the manner aforesaid shall be conclusive evidence that such guarantee is valid and binding upon the corporation.

Existing borrowings confirmed.

8. It is hereby declared that the said corporation shall be bound for payment of all moneys heretofore borrowed by and in the name of the corporation and shall be liable on all guarantees heretofore entered into by and in the name of the corporation, notwithstanding that the corporation may not have had power to borrow such moneys or to enter into such

guarantees,

guarantees, if such borrowing or such guarantees would have been valid if done or entered into after this Act had come into force.

Lender not obliged to see to application of moneys.

9. The persons, firms or corporations, including chartered banks, from whom any moneys may be borrowed by the corporation shall not be obliged to see to the application of the said moneys or any part thereof.

Construction with prior Acts.

10. This Act shall be read with the Act passed in the eighth year of the reign of Her late Majesty Queen Victoria, chaptered 82, the Act passed in the forty-fourth year of the reign of Her late Majesty Queen Victoria, chaptered 86, and the Act passed in the forty-seventh year of the reign of Her late Majesty Queen Victoria, chaptered 92, and the powers by this Act conferred shall be deemed to be in addition to the powers conferred upon the said corporation by the said Acts and in the case of conflict between the provisions of this Act and the provisions of any of the said Acts, the provisions of this Act shall govern.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 137.

An Act respecting the University of Regiopolis.

Assented to April 2nd, 1931.

Preamble. WHEREAS the corporation of the University of Regiopolis has by its petition prayed that the Coadjutor Archbishop of the Roman Catholic Diocese of Kingston should *ex officio* be a trustee of the corporations of the College and University of Regiopolis; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title. **1.** This Act may be cited as *The College and University of Regiopolis Act, 1931.*

Coadjutor Archbishop a trustee of College and University of Regiopolis. **2.** The Coadjutor Archbishop for the time being of the Roman Catholic Diocese of Kingston shall *ex officio* be and shall from the 17th day of May, 1929 be deemed to have been a trustee of the College of Regiopolis and of the University of Regiopolis and of the Senate of such University, with all the rights, powers and privileges conferred upon the Roman Catholic Bishops of the Diocese of Kingston by chapter 56 of the Acts of Upper Canada 1837 and chapter 133 of the Acts of the Province of Canada 1866 respectively.

1837, c. 56; 1866, c. 133

Inclusion of Archbishop of Kingston. **3.** Wherever in the said mentioned Acts the Roman Catholic Bishop of the Diocese of Kingston is referred to it shall be construed to mean, refer to and include the Roman Catholic Archbishop of the Archdiocese of Kingston.

Commencement of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 138.

An Act respecting the Border Cities Young Men's and Young Women's Christian Associations.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the Border Cities Young Men's and Young Women's Christian Associations of Windsor has by by its petition represented that the said association was incorporated in the year 1925 under *The Ontario Companies Act;* and whereas the said association has by its petition prayed that an Act may be passed to confirm its said incorporation and to extend its powers as hereinafter set out; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Border Cities Young Men's and Young Women's Christian Associations Act, 1931.*

Incorporation confirmed.

2. The incorporation of the said association is confirmed and the association is declared to be a body corporate and politic under the name of "The Border Cities Young Men's and Young Women's Christian Associations," hereinafter referred to as the "associations."

Objects.

3. The objects of the associations shall be the spiritual, mental, social, educational and physical welfare and improvement of young men, boys, young women and girls by the erection, operation, maintenance and support of buildings, rooms, libraries, gymnasia, swimming pools, dormitories, restaurants, cafeterias, athletic quarters and grounds, aquatic facilities, recreational facilities, summer camps, the holding, maintenance and support of meetings, lectures and educational instruction and courses and by such other means as may from time to time be determined upon.

Branches.

4. The associations shall have power to establish branch associations in the city of Windsor and in the vicinity of the said city.

5.

Constitution and by-laws.

5. The constitution as set forth in the Letters Patent incorporating the associations and by-laws heretofore adopted by the associations and now in force are hereby declared to be the constitution and by-laws of the associations and shall remain in force until the same are repealed or amended.

Amendment of constitution.

6. The associations shall have power at any time to amend the said constitution at any general meeting providing that ten days' notice of such meeting and the proposed amendment in writing is given to the members, and providing that such amendment is carried by a two-thirds vote of the members in attendance at such general meeting.

Officers and directors.

7. The officers and directors of the associations in office at the time of the passing of this Act shall be the officers and directors of the associations and continue in their respective offices until their successors are elected or appointed in accordance with the constitution and by-laws of the associations.

Existing real and personal property.

8. All property real and personal belonging to or held in trust for the associations is and shall henceforth be vested in the associations to be held, used, administered and disposed of, subject to the provisions of this Act, in accordance with the constitution and by-laws of the associations.

Existing debts and liabilities assumed.

9. The associations and all its property shall remain liable for the payment or satisfaction of any debts or obligations heretofore contracted or incurred in the same manner and to the same extent as if this Act had not been passed.

Power to acquire property and dispose thereof.

10. The associations shall have power to acquire and hold in the city of Windsor and vicinity any real property or any estate or interest therein either by purchase, lease, gift, devise or bequest either absolutely or in trust, and to sell, transfer, exchange, mortgage, hypothecate, lease or otherwise alienate or dispose of the same or any part thereof and apply the proceeds of any such property for its purposes; provided that no land at any time acquired by the associations and not required for its actual use and purposes or by way of security for the payment of any loan, debt or guarantee, shall be held by it or by any trustee on its behalf for a longer period than seven years after it shall cease to be so required, but this proviso shall not be deemed in any wise to vary or otherwise affect any trust relating to such property.

Tax exemption.

11.—(1) The buildings, lands, equipment, and undertaking of the associations, so long as the same are occupied by and used for the purposes of the associations shall be and the same are hereby declared to be exempt from taxation, except for taxation for local improvements and school purposes.

(2) The council of the corporation of the city of Windsor may agree with the associations to extend, for a period not exceeding five years, the time within which arrears of taxes now owing in respect to the lands of the associations for the years 1927 to 1930 shall be paid, and to provide as to the times for payment of such arrears of taxes, by instalments or otherwise, and as to the penalties and interest to be added thereto; and during the currency of any such agreement and for so long as the associations are not in default thereunder no portion of its lands or personal property may under distraint or otherwise be sold by the said corporation or its officers for such arrears of taxes. Agreement with City of Windsor as to extension of time for payment of arrears of taxes.

12. The associations shall have power to borrow money for its purposes upon its credit and shall have power to mortgage, hypothecate or pledge any of its property, real or personal, as security for any loan. Borrowing.

13. The associations shall have power to establish an endowment fund or funds for any of its purposes and shall have power to create such funds out of its own moneys or securities for moneys and out of any subscriptions, gifts, donations and bequests under such trusts, regulations and conditions in respect thereto as may from time to time be determined by the board of directors of the associations. Endowment fund.

14. The associations shall have power to lend, invest and reinvest any of its funds and moneys in any securities authorized by law as investments for trust funds. Loaning.

15. The associations shall have power to establish, aid or support such courses of technical, vocational or trades education as the board of directors of the associations may from time to time determine. Technical, etc., education.

16. The councils of the corporations of the cities of Windsor and East Windsor and of the towns of Walkerville, Sandwich, Ojibway and Riverside, or any of them, may make grants to the associations to an amount not exceeding in any one year the sum of $3,000. Municipal grants.

17. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 139.

An Act respecting The Nicholls' Hospital Trust.

Assented to April 2nd, 1931.

Preamble.

WHEREAS The Nicholls' Hospital Trust has by its petition represented that for the purpose of erecting an addition to and otherwise improving the Nicholls' Hospital of Peterborough an application has been made to the corporation of the city of Peterborough for a grant of $300,000 and it is proposed that a by-law for such purpose be submitted for the assent of the qualified ratepayers of the said city, but authority for the said corporation to issue debentures for the said amount is required; and also in the interest of the said hospital it is desirable that its board of trustees be increased by the addition thereto of four trustees to be appointed by the council of the said corporation; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Nicholls' Hospital Trust Act, 1931.*

Board of trustees. Appointment of additional trustees.

2.—(1) The Nicholls' Hospital Trust shall consist of a board of trustees chosen as provided for by the Act to incorporate the said trust, being chapter 87 of the Acts passed in the forty-ninth year of the reign of Her Majesty Queen Victoria, and there may be added thereto by by-law passed at any time by the council of the corporation of the city of Peterborough four resident ratepayers of the said city who are not Roman Catholics to be appointed by the said council at a regular meeting thereof, and at the first appointment thereof of those appointed one shall be appointed to hold office for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, and thereafter the trustees to be appointed by the said council shall hold office for a term of four years and until their successors are appointed, so long as they continue to reside in the said city and are ratepayers therein and are not Roman Catholics, and it shall be lawful for the said council

when

when any vacancy in the said board shall occur by reason of any of the trustees appointed by it dying or resigning or becoming incapable of acting or disqualified, to appoint some other resident ratepayer of the said city who is not a Roman Catholic to fill the unexpired term of office caused by such vacancy.

(2) Any additional trustees appointed by the said council under this section shall be members of the board of trustees of the said hospital for all purposes, and shall have and may exercise all the powers, rights, privileges and duties of a trustee of the said trust while the by-law passed by the said council continues in force and during the terms of their respective appointments.

3. Section 17 of the said Act is amended by adding thereto the following subsection: 1886, c. 87, s. 17, amended.

City Council may issue debentures.

(2) Subject to the assent of the said ratepayers being first obtained thereto, the council of the corporation of the city of Peterborough, for the purpose of granting any sum or sums of money to be expended in permanent improvement, enlargement, extension or addition to the said hospital, may from time to time pass by-laws to provide such sum or sums by the issue of debentures of the said corporation, and, in accordance with the provisions of section 19, to levy a rate sufficient to pay the principal of any such debentures and the interest thereon as the same respectively become due and payable upon and out of the whole rateable property in the said city according to the last revised assessment roll, except the property of Roman Catholics, and save as otherwise provided in this Act, the provisions of *The Municipal Act* shall apply to such by-laws and the issue of any debentures thereunder. Rev. Stat., c. 233.

4. This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

CHAPTER

CHAPTER 140.

An Act respecting the Toronto General Hospital.

Assented to April 2nd, 1931.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Toronto General Hospital Act, 1931.*

Rev. Stat., c. 358, amended.

2. *The Toronto General Hospital Act* is amended by adding thereto the following section:

Appointment of Advisory Board.

10*a*.—(1) The Board may by by-law constitute an Honorary Advisory Board consisting of not more than ten members appointed by the Board, to hold office during the pleasure of the Board, and the Board may from time to time fill any vacancy occurring in the membership of the said Honorary Advisory Board.

Officers.

(2) The Honorary Advisory Board may appoint a chairman and a vice-chairman. The secretary of the Board shall upon the request of the Honorary Advisory Board act as its secretary.

Membership.

(3) No person shall be appointed a member of the said Honorary Advisory Board unless previous to his appointment he has been appointed or elected as a trustee of the Board and has served in such capacity for a period of at least five years.

Advisory powers.

(4) The said Honorary Advisory Board shall not have or exercise any of the rights, powers and privileges of the Board but shall act only in an advisory capacity in co-operation with the Board as the said Board shall from time to time desire or determine.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 141.

An Act respecting the Toronto East General Hospital.

Assented to April 2nd, 1931.

Preamble

WHEREAS the Toronto East General Hospital has by its petition represented that it is desirable to increase the number of the members of its board of governors to be elected by its subscribers from six to not exceeding twelve; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Toronto East General Hospital Act, 1931.*

1926, c. 116, s. 3, amended.

2. Section 3 of the Act incorporating The Toronto East General Hospital passed in the sixteenth year of the reign of His Majesty King George V, chaptered 116, is amended by adding thereto the following subsection:

Number of elected Governors may be increased.

(4) The Board may by by-law at any time increase the number of members to be elected by the subscribers from six as provided for in subsection 2 to not exceeding twelve members. Any such additional members to be appointed by the Board to hold office until the annual meeting of the subscribers next after the date of their respective appointments, and thereafter such additional members shall be elected in accordance with the provisions of this Act.

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 142.

An Act respecting The Protestant Orphans' Home, Ottawa.

Assented to April 2nd, 1931.

Preamble.

WHEREAS The Protestant Orphans' Home, Ottawa has by its petition represented it to be desirable that its name be changed to "Protestant Children's Village, Ottawa," and for legislation with respect to its funds; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The Protestant Children's Village, Ottawa, Act, 1931.*

Name changed.

2. The name "The Protestant Orphans' Home, Ottawa," is changed to "Protestant Childrens' Village, Ottawa," and section 1 of the *Act respecting the Orphan's Home of the City of Ottawa*, passed in the fourth year of the reign of His Majesty King George the Fifth, chaptered 129 is amended by striking out the name "The Protestant Orphans' Home, Ottawa" wherever it occurs in the said section and inserting in lieu thereof the name, "Protestant Children's Village, Ottawa."

Properties vested under new name.

3. All bequests heretofore or hereafter made to and in the name of The Protestant Orphans' Home, Ottawa, shall be read as if they were made payable to the Protestant Children's Village, Ottawa, and any trust fund or funds held or invested in the name of The Protestant Orphans' Home, Ottawa, shall be continued in the name of Protestant Children's Village, Ottawa, and all real property now held by or belonging to The Protestant Orphans' Home, Ottawa, is vested in the Protestant Children's Village, Ottawa.

Commencement of Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 143.

An Act respecting The Association of Accountants and Auditors in Ontario.

Assented to April 2nd, 1931.

Preamble.

WHEREAS The Association of Accountants and Auditors in Ontario has by its petition prayed for special legislation amending *The Association of Accountants and Auditors Act, 1926*, so that its members may be designated as incorporated public accountants; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Association of Accountants and Auditors Act, 1931.*

1926, c. 124, s. 12, subs. 1, amended. Designation of members of Association.

2. Subsection 1 of section 12 of *The Association of Accountants and Auditors Act, 1926*, is amended by striking out the words "Licentiate in Accountancy" and the initials "L.A.," wherever they occur in the said subsection and inserting in lieu thereof respectively the words "Incorporated Public Accountant," and the initials "I.P.A."

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 144.

An Act respecting the Crown Trust Company.

Assented to April 2nd, 1931.

Preamble.

WHEREAS Crown Trust Company (hereinafter called "the Company") has, by its petition, represented that it was incorporated by a Special Act of the Legislature of the province of Quebec, passed in the ninth year of the reign of His Majesty King Edward the Seventh, which said Act was amended by an Act of the said Legislature passed in the tenth year of the reign of His Majesty King George the Fifth, and which Act was further amended by an Act of the said Legislature passed in the nineteenth year of the reign of His Majesty King George the Fifth, under the name of Crown Trust Company, and that its present permanent capital stock authorized is five million dollars ($5,000,000), of which one million dollars ($1,000,000) has been subscribed for, issued and allotted, and upon which one million dollars ($1,000,000) has been paid in in cash; and whereas the company has prayed for the passing of an Act authorizing it to transact only the business of a trust company in the province of Ontario in conformity to the public general law thereof; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title.

1. This Act may be cited as *The Crown Trust Company Act, 1931.*

Power to carry on business of a trust company in Ontario.

Rev. Stat. c. 223.

2. Upon giving security to the satisfaction of the Lieutenant-Governor in Council, in a sum of not less than two hundred thousand dollars ($200,000) the company may, upon filing with the registrar appointed under *The Loan and Trust Corporations Act* power of attorney as required by section 126 of the said last mentioned Act and upon being registered under the said Act, be authorized and empowered to carry on and exercise in the province of Ontario the business of a trust company with the powers set forth in *The Loan and Trust Corporations Act.*

3.

Increased security may be required.

3. The Lieutenant-Governor in Council may at any time, or from time to time increase the amount of such security by a notice in writing to the manager or secretary at the chief agency of the company in the province of Ontario; and if the company fails to furnish such increased security within two months after such notice, then and thereupon the company shall, *ipso facto*, become disentitled and shall cease to do further business in the said province.

Chief agency in the province.

4. The chief agency of the company for the province of Ontario shall be in the city of Toronto and the company shall keep at the said chief agency a manager and secretary, who, as well as all other officers at the said agency, or in the said province, shall in respect of all business transacted by the company in the said province be absolutely subject to the control of the courts of the said province as fully as if the head office of the company were within the said province, and as if the company were wholly managed and controlled therein.

Investments.

5. All the investments of the company in respect of all trust business entrusted to it in the province of Ontario shall (subject to the provisions as to investments contained in the deed, will or other instrument of trust, and subject to the direction, if any, of the Supreme Court or of any judge thereof) be wholly invested at one or other of the agencies of the company in the said province; and the trust securities representing such investments from time to time shall be held and retained at all times at one or other of such agencies and under the control of the courts of the said province, the said trust securities shall (subject to the provisions of the said instruments of trust) be securities in which trustees or trust companies are, by the law of the saip province, authorized to invest trust funds.

Ontario laws to apply.

6. The company shall be limited in respect of all business relating to property and civil rights or provincial objects in the province of Ontario, to the powers mentioned in the schedule to *The Loan and Trust Corporations Act*, and shall be subject to the general provisions of the said Act and of the general public law of the said province relating to trust companies and trusts.

Trust funds to be earmarked.

7. The moneys and securities of each trust shall always be kept distinct from those of the company and in separate accounts, and so marked in the books of the company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the company and at no time shall trust moneys form part of or be mixed with the general assets of the company.

8.

Trust funds not subject to company's debts.

8. Moneys, properties and securities received or held by the company upon trust or as agent of any person or corporation shall not be liable for the debts or obligations of the company.

Trust funds accounting.

9. In the case of the appointment of the company to any trust or office by any court or judge in Ontario, such court or judge may at any time and from time to time require the company to render an account of its administration of the particular trust or office to which the company has been so appointed and a judge of the Supreme Court may also at any time and from time to time appoint a suitable person to investigate the affairs and management of the company, and as to the security offered to those by or for whom its engagements are held, and such person shall make his report to such court or judge and the costs and expenses of such investigation shall be borne as ordered by such court or judge.

Commencement of business.

10. Nothing in this Act shall be deemed to authorize the company to commence business in Ontario until it has been registered as required by the provisions of *The Loan and Trust Corporations Act*, nor to continue except when so registered.

Commencement of Act.

11. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER 145.

An Act respecting the City Gas Company of London.

Assented to April 2nd, 1931.

Preamble. WHEREAS the City Gas Company of London has by its petition represented that by section 9 of an Act passed in the sixth year of the reign of His Majesty King Edward the Seventh, chaptered 129, and entitled *An Act respecting the City Gas Company of London*, it is provided that the said company may borrow on bonds or debentures any sum or sums not exceeding in the whole $250,000, with power to borrow again any amount thereof paid off; and that by section 10 of the said Act it is further provided that no bond or debenture shall have priority or preference over another, and that notwithstanding any mortgage or charge made to secure such bonds or debentures the said company may, so long as there shall be no default in payment of the interest upon any of such borrowed money, sell any surplus lands or other property of the said company not then required for its use and give a good title thereto free from all encumbrances in respect of the money so borrowed; and that by section 11 of the said Act it is further provided that the total yearly value of the lands and real property to be held by the said company for the purpose of its business at any one time shall not (over and above the value of the works erected thereon) exceed $10,000; and whereas the said company has by its petition prayed that an Act may be passed authorizing it to borrow without limitation as to amount, and repealing said sections 10 and 11 of the said Act, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Short title. **1.** This Act may be cited as *The City Gas Company of London Act, 1931.*

1906, c. 129, s. 9 repealed. **2.** Section 9 of *An Act respecting the City Gas Company of London* passed in the sixth year of the reign of His Majesty

King

King Edward the Seventh, chaptered 129, is hereby repealed and the following substituted therefor:

Issue of debentures authorized.

9. It shall be lawful for the City Gas Company of London to borrow on the credit of the company any sum or sums at such rate of interest and upon such terms and conditions as the company may deem advisable and to issue bonds, debentures, securities or other evidences of indebtedness therefor, and to secure the moneys so borrowed and any such debentures, bonds, securities or other evidences of indebtedness as the company may determine on all or any part of the estate, real or personal property or both of the company, and all moneys so borrowed or raised shall be applied for the purposes of the company.

Powers conferred not to affect gas rates.

3. This Act shall not, nor shall the exercise by the company of the powers contained in this Act or any of them, entitle the said company to increase the price of gas over or above the sum of $1.25 net per thousand cubic feet of gas, or the meter rents, to consumers within the limits of the city of London as now existing or hereafter extended, whether used for illuminating purposes or otherwise. And the said company shall not, by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, increase the price of gas over or above the said sum of $1.25 net per thousand cubic feet, or the meter rents, and the said company shall not apply to The Ontario Railway and Municipal Board for authority by reason of the passing of this Act or by reason or in consequence of the exercise by it of the powers conferred by this Act or any of them, to increase the price of gas, over or above the said sum of $1.25 net per thousand cubic feet, or the meter rents.

1906, c. 129, ss. 10 and 11, repealed.

4. Sections 10 and 11 of the said Act are repealed.

Existing franchise not extended.

5. It is hereby enacted and declared that this Act is not intended to extend, and shall not extend, the terms during which, by the agreement between the said company and the said corporation, and the agreement between the London Gas Light Company and the said corporation, or either of them, the said companies or either of them were authorized to exercise their corporate rights of supplying gas within the city of London beyond the periods for which the said companies would have been entitled to exercise such rights had this Act not been passed.

Commencement of Act.

6. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 146.

An Act to incorporate United Farmers Co-operative Association.

Assented to April 2nd, 1931.

Preamble.

WHEREAS William A. Amos, of the township of Wallace, in the county of Perth; Bruce McNevin, of the township of Ops, in the county of Victoria; Harry A. Gilroy, of the village of Alvinston, in the county of Lambton; James J. Morrison, of the city of Toronto, in the county of York, and Howard B. Clemes, of the city of Toronto, in the county of York, all of the Province of Ontario, have by their petition prayed for an Act of incorporation under the name of United Farmers Co-operative Association for the purposes and with the powers hereinafter set forth; and it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *United Farmers Co-operative Association Act, 1931.*

Interpretation.

2. In this Act,—

"the association."

(*a*) "the association" means the association incorporated under this Act;

"meeting of the association."

(*b*) "meeting of the association" includes a duly constituted meeting of the delegates appointed by the members of the association;

"local."

(*c*) "local" means a local shipping association duly constituted under the provisions of this Act;

"farm produce."

(*d*) "farm produce" means every article of commerce produced from the farm and the products thereof and without restricting the foregoing includes livestock.

3.

Incorporation.

3. William A. Amos, Bruce McNevin, Harry A. Gilroy, James J. Morrison and Howard B. Clemes, together with such other persons as may become members of the association hereby incorporated, are hereby constituted a body corporate and politic under the name of "United Farmers Co-operative Association."

Head office.

4. The head office of the association shall be at the city of Toronto, in the Province of Ontario, or at such other place within the said province as may be determined by by-law passed by the directors and confirmed by vote of at least two-thirds of the delegates present at a meeting duly called for considering the same.

Directors.

5.—(1) William A. Amos, R. J. McMillan, Carl Jones, H. A. Gilroy, Harold Currie, Bruce McNevin, Neil MacKay, R. L. Aitcheson and Alva Rintoul shall be the first directors of the association, and they shall hold office until their successors are duly elected at the first meeting of delegates, but shall be elegible for election as permanent directors.

(2) The permanent directors shall be not less than nine and not more than fifteen in number and shall be elected from the members of the association by the delegates in the manner hereinafter and by by-law provided; and shall hold office until the next annual meeting of delegates held after their election, but shall be eligible for re-election; provided, however, that the by-laws may provide for the election of directors by a system of rotation for periods not exceeding three years and for the retirement of a certain number of directors each year, and while such by-laws remain in force the directors shall be elected in accordance therewith notwithstanding anything to the contrary in this Act contained.

Members.

6.—(1) Subject to the provisions of any of the by-laws of the association any person directly interested in farming in the Province of Ontario shall be entitled to become a member of the association upon compliance with the by-laws of the association regulating membership.

(2) Members shall pay such fees as may from time to time be fixed by by-law.

(3) The association shall be without share capital and subject to the provisions of this Act, the interest of each member thereof as such shall be the same as that of every other member.

(4) The liability of each member of the association as such shall be limited to the amount, if any, from time to

time

time unpaid in respect of the aforesaid fees, and subject thereto, no member shall be liable for any debt account, liability or default of the association or for any engagement, claim, payment, loss, injury, action, matter or thing whatsoever relating to or in connection with the association· provided that nothing in this clause contained shall be deemed to exempt or relieve any member from liability to the association or to any other person arising out of contract or otherwise and not created by his membership in the association.

(5) In any distribution of the assets of the association among its members on winding up or ceasing to do business, the assets so to be distributed shall be applied first in repayment of any amount owing to any member under any contract or otherwise and thereafter in pro rata distribution among the members in good standing at the time of such distribution on the basis of the deductions made by the association during the fiscal year preceding such distribution from the proceeds of farm produce disposed of through the association by its members or, after repayment of any amount owing to any member under any contract or otherwise, on such other basis as may be determined by the delegates at a special meeting held to consider the matter; provided, however, that no distribution shall be made on the basis of the membership fees paid by them; subject, however, to the right of the association to retain any amount owing and unpaid on any members' fees; and such distribution or winding up shall be carried out in such manner as may be determined by the directors with the approval of the association's auditors, who shall be a firm of chartered accountants.

Delegates.

7.—(1) Meetings of members of the association may be held by districts to elect delegates and for such other purposes as the directors may determine; and such elections may be by postcard or by ballot, or both by postcard and ballot, or otherwise as may be provided by by-law of the directors confirmed by vote of two-thirds of the delegates at a meeting called to consider same.

(2) The first meetings of members by districts to elect delegates shall be held at such time or times prior to December first, 1932 and at such place or places as may be fixed by the directors, and thereafter annual meetings of the members to elect delegates shall be held at such time or times and at such place or places as may be fixed by the directors pursuant to the by-laws.

(3) Delegates shall hold office for one year or until their successors are duly elected in annual meeting.

(4) The total number of delegates to be elected shall be fixed by by-law and the number of delegates to be elected

from

from each district shall as nearly as possible bear the same proportion to the total number as the number of members from such district bears to the total number of members of the association.

(5) The first meeting of delegates to elect directors, receive the annual report and appoint auditors shall be held at the head office of the association at such time prior to December 31st, 1932 as may be fixed by the directors, and thereafter annual meetings of the delegates shall be held for the aforesaid purposes at the head office at such time as may be fixed by the directors pursuant to the by-laws.

(6) The by-laws may provide that each district shall be entitled to elect one or more directors who shall be elected by the delegates representing such district, and may also provide that vacancies in the directorate may be filled by the remaining directors.

(7) Subject as herein provided meetings of delegates may be held from time to time by districts or otherwise as may be provided by by-law; and for all purposes except the election of delegates shall be as valid and effective as meetings of the members whom they represent, and any action taken at such meetings shall be binding on the members so represented.

(8) Any remuneration and expenses of delegates, directors and members in connection with the business of the association may be paid by the association.

By-laws.

8.—(1) The directors shall have full power and authority to pass, vary and repeal by-laws not contrary to law nor inconsistent with this Act providing for and regulating the election of directors and delegates, the calling, holding and adjournment of and procedure at meetings of directors, delegates and members, the quorum thereat, the appointment and remuneration of directors, officers and employees, and the dismissal of officers and employees, the creation of the districts referred to in section 7 hereof, and the allocation of members to such districts, the creation and functions of executive committees, the admission and expulsion of members and collection of fees, the making of contracts, the determination of the deductions to be made from the proceeds of the sale of farm produce, the distribution thereof and the creation of reserves, and the conduct generally of the association's business and affairs; and such by-laws shall, subject to subsection 2, be valid and binding on the association and its members until the next annual meeting of the delegates, and if confirmed thereat shall continue to be valid and binding until varied or repealed by the delegates at an annual meeting.

(2) The delegates at an annual meeting or at a special meeting called for the purpose shall have full power and authority to amend, vary and repeal by-laws passed by the directors in relation to any of the matters referred to in the foregoing subsection or to any other matters whatsoever.

(3) The directors shall also have full power and authority to manage and conduct the business and affairs of the association in manner not inconsistent with the provisions of this Act nor contrary to law, in all matters not specifically referred to in the foregoing subsections of this section.

Objects.

9. The association shall have power and capacity and is hereby authorized to acquire all or any of the assets and undertaking of The United Farmers Co-operative Company, Limited incorporated under *The Companies Act, Ontario*, for such consideration and on such terms as may be agreed upon; and for that purpose to enter into an agreement or agreements with the said The United Farmers Co-operative Company, Limited or any subsidiary thereof, and upon any such agreement or agreements being approved by the vote of two-thirds of the shareholders of the said company or such subsidiary as the case may be, present at a meeting duly called for considering the same, or represented thereat by a shareholder having the right to vote in their behalf under the by-laws of the said company or subsidiary, such agreement or agreements shall be legal, valid and binding upon the said company or subsidiary, as the case may be, and the shareholders thereof.

Objects continued.

10. The association shall further have power and capacity and is hereby authorized:

(*a*) To serve as a selling agency for the farm produce of its members on a non-profit basis.

(*b*) To carry on the business of collecting, buying, receiving, handling, processing, warehousing, shipping, storing, trading, grading, dealing in, selling and marketing and exporting farm produce, and generally to carry on the general business of dealers in and exporters of farm produce, either as principal or as agent, broker, mercantile agent, factor or attorney in fact; to construct, purchase, acquire by lease or otherwise, and to operate warehouses and cold storage plants, and all or any facilities for warehousing, storing, processing, handling, trading or otherwise dealing in farm produce; and generally to do all things, either as principal or agent, broker, mercantile agent, factor or attorney in fact incidental to or connected with any manner of collecting, storing, handling, dealing with, marketing or disposing of farm produce.

(*c*) To act as agent, broker, factor, mercantile agent and attorney in fact for each of its members for all purposes connected with or incidental to the co-operative marketing of farm produce, and to exercise on behalf of each of its members all such rights, privileges and authorities as may be conferred by them;

(*d*) To furnish a means, as an agricultural organization instituted for mutual help, by which its members may be able to market their farm produce through one central marketing organization.

(*e*) To encourage the production of farm produce of the highest quality, and the preparation thereof so as to reach the consumer in the most wholesome and attractive condition for food purposes.

(*f*) To develop existing markets and build up new markets for farm produce, investigate and develop new uses therefor, and generally take all such steps as may be deemed expedient to increase the consumption thereof.

(*g*) To improve methods and reduce costs of marketing farm produce; to reduce speculation, manipulation and waste, and all unnecessary transactions in such marketing; to market the same directly and with regularity so as to furnish the same economically to the consumer and preserve for the producer the proceeds thereof.

(*h*) To enter into, make, perform, and carry out any contract or arrangement necessary for or incidental to the co-operative selling or marketing of farm produce produced or acquired by its members or any of them.

(*i*) To deal with all documents of or evidencing title to farm produce, or providing for payment therefor or otherwise in connection with farm produce or the proceeds thereof, in all or any manner whatsoever.

(*j*) To construct, hire, purchase or operate and maintain all or any conveyances for the transportation in cold storage or otherwise howsoever by land or by water of any or all farm produce, or accessories or equipment necessary or incidental to the handling, treating or marketing of the same.

(*k*) To establish and operate from time to time and to such extent as may be deemed advisable a research department in connection with the business of the association.

(*l*)

(*l*) To carry on in accordance with co-operative principles the business of wholesale purchasers, procurers, shippers, vendors and dealers of and in goods, wares and merchandise of every kind and description used in agriculture and farming or by consumers, including hardware, lumber, building materials, fuel, machinery, farm implements, binder twine, dry goods and groceries, and to manufacture, produce, adapt, prepare, buy, sell and otherwise deal in any or all of the said goods, wares and merchandise and in any materials, articles or things required in connection with or incidental to such wholesale or manufacturing business.

(*m*) To purchase, take in exchange, lease, hire or otherwise acquire, work, maintain, drain, farm, plant, pave, erect, build, construct, add to, improve, develop or use any lands, easements, or other rights in land, buildings, machinery, mills, warehouses, plants, factories, offices, houses, or other real or personal property required for the purposes of the association and wherever situated whether on the association's property or otherwise, and to add to, furnish, operate, rent, exchange, lease, sell or otherwise dispose of the same or any part of the same.

(*n*) To mortgage, pledge, hypothecate, borrow money upon and otherwise deal with farm produce and all documents of or evidencing title thereto, either as principal, agent, broker or attorney.

(*o*) To advance money to its members or others whose farm produce it may handle on such terms as may seem expedient.

(*p*) To pay or recoup to, reimburse for, or distribute among any members or contract holders of this association any moneys contributed directly or indirectly to the association by them, or deducted or retained from the proceeds of their farm produce on the basis as far as practicable of the contributions so made and either in whole or in part and at such times and in such manner and either with or without interest thereon as in the absolute discretion of the association may seem expedient.

(*q*) To distribute among the members of this association in kind any property of this association and in particular any shares, debentures or securities of other companies or associations belonging to this association or of which this association may have the power of disposing.

(*r*) To compensate members of the association for any loss incurred by reason of injury to farm produce in course of transit, and to make provision, by way of deduction, from proceeds of farm produce handled by the association or otherwise as the association may from time to time determine, for any fund or funds from which to pay such compensation.

(*s*) To enter into contracts with any person, firm, association, corporation or company for purposes of selling to or supplying such person, firm, association, corporation or company with goods, wares and merchandise of all kinds and descriptions as aforesaid under a term contract or otherwise and under such conditions as will serve the interests of the company.

(*t*) To act in carrying out of any of the powers of this association through servants, employees, agents, sub-agents, brokers, solicitors, bankers, auditors and experts.

(*u*) To incorporate or secure the incorporation of, and take stock in any subsidiary company or association which the directors of the association may deem desirable or expedient for the purpose of more effectively carrying out the objects of the association or any of them, or to segregate any or all of the classes of business carried on by the association.

(*v*) To sell or dispose of the undertaking of the association or any part thereof for such consideration as the association may think fit, and in particular for shares, debentures or securities of any other corporation having objects altogether or in part similar to those of the association, if authorized so to do by the vote of two-thirds of the delegates present at a meeting thereof duly called for considering the matter.

Provided that if the directors deem it in the interest of the association and its members as a whole nothing herein contained shall be deemed to prevent the association from buying from or selling to or for any of its members or other persons any farm produce or other commodities on a profit basis and the association is hereby authorized so to deal.

And for the foregoing purposes and to enable it more fully to exercise its powers, the association shall be deemed to have and shall have and enjoy the powers and capacity conferred upon companies or corporations by *The Companies Act*, and particularly and without limiting the generality of the foregoing by sections 23, 24, subsection 1 of section 80 and subsection 1 of section 84 thereof in so far as such powers

Rev. Stat c. 218.

and

and capacity are applicable to the association and not inconsistent with this Act; and the said *Companies Act*, shall in so far as it is not inconsistent with the provisions of this Act and the by-laws of the association, apply to the association.

Organization of local shipping associations.

11.—(1) The association shall have power to organize and constitute from among its members local shipping associations (hereinafter referred to as locals), to facilitate the assembling of farm produce for shipment at any particular shipping point or shipping points, to give to each such local a distinctive name, to delegate to and confer upon any such local such powers, rights and privileges from time to time as may seem expedient and conducive to the carrying out of the objects of this association, and further the interests of its members in the co-operative marketing of farm produce, and to make all appropriate by-laws and regulations in respect thereto.

Powers of locals.

(2) When a local has been duly constituted in accordance with the provisions of this Act and the by-laws of the association in that behalf it shall have power to hold in its own name real and personal property and to alienate or otherwise deal with the same or any part thereof, and to make contracts dealing with matters of a local nature within the limits prescribed by the association, provided, however, that such locals shall not have power to bind the association nor shall the association be liable for any claim, legal or equitable, arising out of any action of any of its locals, nor shall the association or the creditors thereof have any right or claim to any of the property of any such local.

By-laws for locals.

(3) All locals may make by-laws for the conduct of the business and proceedings thereof, but the same shall not be operative or effective unless and until a certified copy thereof has been deposited by the local with the secretary of the association and approved by the directors thereof, in default of which and until such conditions have been complied with, the standard set of by-laws provided by the association for locals shall be the by-laws thereof.

Contracts of agents binding.

12. Every contract, agreement, engagement or bargain made and every bill of exchange drawn, accepted or indorsed, and every promissory note and cheque made, drawn or indorsed, and every weight ticket or bill of lading made, drawn, signed or indorsed on behalf of the said association by any agent, officer or servant of the association in general accordance with his powers as such under the by-laws of the association shall be binding upon the association and in no case shall it be necessary to have the seal of the association affixed to any such contract, agreement, engagement, bargain, bill of exchange, promissory note, cheque, weight ticket or bill of lading or document of like nature, or to prove that the same was made, drawn, accepted, signed or indorsed,

as the case may be, in pursuance of any by-law or special vote or order, nor shall the party so acting as agent, officer or servant of the association be thereby subject individually to any liability whatsoever to any third party therefor.

Contracts with members.

13.—(1) The association may enter into contracts or marketing agreements with its members requiring the members to sell or deliver for sale, for any period of time not exceeding seven years, all or any of their farm produce exclusively to or through the association or any agencies created by the association.

(2) The said association may, by contracts or marketing agreements entered into with its members, fix as liquidated damages specific sums to be paid by its members to the association upon breach by them of any provision of the contract or marketing agreement regarding the sale or delivery or withholding of farm produce, and any such provision fixing specific sums as liquidated damages shall be valid and enforceable as such in the courts of Ontario, and such sums shall not be deemed a penalty or in the nature of a penalty.

Deductions.

(3) Any contract or marketing agreement may provide that the association may sell or resell the products delivered to it by its members with or without taking title thereto, and pay over to its members the proceeds thereof, after deducting all necessary selling, overhead and other costs and expenses, and all such amounts as may be required for meeting liabilities or for reserves or for acquiring real or personal property for the erection of warehouses or other buildings or the acquisition of any mechanical or other facilities connected with the handling, processing, manufacturing and marketing of farm produce, or for the creation of any fund or funds from which to pay compensation to members for injury or damage to farm produce in course of transit, or for providing a fund to be used as working capital for the association.

Injunction and specific performance.

(4) In the event of a breach by a member of any such contract or marketing agreement, as to the delivery or marketing of any farm produce otherwise than through the said association, the association shall be entitled to an injunction to prevent further breach thereof, and to a decree of specific performance of the said contract or marketing agreement.

Commencement of Act

14. This Act shall come into force on the day upon which it receives the Royal Assent.

CHAPTER

CHAPTER 147.

An Act respecting the Estate of William F. Johnson, deceased.

Assented to April 2nd, 1931.

Preamble.

WHEREAS the late William F. Johnson, who died on or about the 22nd day of February, 1929, and probate of whose last will and testament was granted by the Surrogate Court of the County of Prince Edward on the 30th day of April, 1929, to The Trusts and Guarantee Company, Limited, the executor herein named, made provision in his said will as to the disposition of his estate and in respect of certain of which dispositions agreements have since been entered into among the beneficiaries in settlement of their interests upon terms other than those mentioned in such will; and whereas Elizabeth Johnson, the widow, and Elizabeth Mayne Johnson, the daughter of the said testator, have by their petition represented that to afford them sufficient protection and to give them such relief as circumstances may warrant, special legislation therefor is necessary; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

Dependants Relief Act to apply.

1.—(1) Notwithstanding that the said will of William F. Johnson, deceased, was made and that the said William F. Johnson died prior to the time when *The Dependants' Relief Act, 1929* came into force and notwithstanding anything in the said agreements contained, the provisions of the said Act and of *The Dependants' Relief Act, 1930* shall apply to the will and estate of the said William F. Johnson, deceased, and the said Elizabeth Johnson and the said Elizabeth Mayne Johnson, or either of them, may make application under the said Acts in the same manner and to the same extent as they or either of them could if the said will had been made and the said death had occurred after the time when the said first mentioned Act came into force.

1929, c. 47.

1930, c. 35.

(2)

Applications.

(2) The said applications may be made under the said mentioned Act, notwithstanding that more than three months have elapsed since the death of the said William F. Johnson and without it being necessary to obtain an extension of the said period to make such applications.

Commencement of Act

2. This Act shall come into force on the day upon which it receives the Royal Assent.

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NOTE.—This table has been prepared for the convenience of the public under the instructions of the Attorney-General. Each Act, with its amendments, is shown alphabetically in the table under the heading of its short title, if it has one, otherwise under its long title. Numerous subject matter or collective titles have been inserted by way of cross-reference to facilitate the finding of the different Acts.

Abbreviations.—aff.=affecting; am.=amending; c.=chapter; rep.=repealing; R.S.O.=Revised Statutes of Ontario; s=section; sub.=substituting; sup.=superseding.

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ADMINISTRATION OF JUSTICE EXPENSES ACT. R.S.O. 1927, c. 126; 1928, c. 21, s. 7 am.; 1929, c. 40 am.

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AGRICULTURAL DEVELOPMENT ACT. R.S.O. 1927, c. 68; 1928, c. 21, s. 3 am.

AGRICULTURAL DEVELOPMENT FINANCE ACT. R.S.O. 1927, c. 67.

AGRICULTURAL REPRESENTATIVES ACT. R.S.O. 1927, c. 73; 1931, c. 20 am.

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AGRICULTURE. *See* Agricultural Associations Act; Agricultural College Act; Agricultural Development Act; Agricultural Development Finance Act; Agricultural Representatives Act; Agricultural Societies Act; An Act respecting Dominion Agricultural Credit Company, Limited; Consolidated Cheese Factories Act; Corn Borer Act; County Publicity Act; Dairy; Department of Agriculture Act; Farm Loans Act; Live Stock and Products Act; Ontario Marketing Act; Protection of Cattle Act.

ALBERTA COAL SALES ACT. 1929, c. 70.

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An Act respecting certain lands of the Canadian General Electric Company, Limited, in the County of Welland. 1928, c. 20.

An Act respecting Dominion Agricultural Credit Company, Limited, 1931. c. 18.

An Act respecting the Toronto General Hospital. R.S.O. 1927, c. 358; 1928, c. 58 aff.; 1931, c. 140 am.

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Appeals. *See* Privy Council Appeals Act.

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Apprenticeship Act. 1928, c. 25; 1930, c. 21, s. 20 am.; 1931, c. 36 am.

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Assessment Act. R.S.O. 1927, c. 238; 1928, c. 39 am.; 1929, c. 63 am.; 1930, c. 46 am.; 1931, c. 51 am.

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Athletic Commission Act. R.S.O. 1927, c. 261; 1928, c. 21, s. 21 am.; 1929, c. 23, s. 13 am.; 1930, c. 21, s. 16 am.

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Auctioneers. *See* Provincial Auctioneers' License Act.

Audit Act. R.S.O. 1927, c. 25; 1930, c. 21, s. 2 am.

Auxiliary Classes Act. R.S.O. 1927, c. 324.

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Barberry Shrub Act. R.S.O. 1927, c. 311; 1929, c. 81 rep. and sup.

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Beaches and River Beds Act. R.S.O. 1927, c. 299; 1929, c. 77 aff.

Bed of Navigable Waters Act. R.S.O. 1927, c. 42.

Bees Act. R.S.O. 1927, c. 314; 1931, c. 65 am.

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Bills of Sale and Chattel Mortgages Act. R.S.O. 1927, c. 164.

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Blind Workmen's Compensation Act. 1931, c. 38.

Boards of Education Act. R.S.O. 1927, c. 327; 1928, c. 53, s. 7 am.; 1929, c. 84, s. 12 am.; 1930, c. 63, s. 18 rep., s. 19 am.; 1931, c. 71, s. 14 am.

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Bonus Limitation Act. R.S.O. 1927, c. 234.

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Boys' Welfare Home and School Act. R.S.O. 1927, c. 282; 192 `, c. 49 am.; 1931, c. 60 rep. and sup. *See* Ontario Training Schools Act.

Branding of Live Stock Act. R.S.O. 1927, c. 305.

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Cemetery Act. R.S.O. 1927, c. 317; 1931, c. 68 am.
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Charities Accounting Act. R.S.O. 1927, c. 152; 1930, c. 33 am.
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Children's Maintenance Act. 1931, c. 34.
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Children's Protection Act. R.S.O. 1927, c. 279; 1928, c. 46 am.; 1929, c. 23, s. 15 am.; 1930, c. 54 am.; 1931, c. 59 am.
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College of Art Act. R.S.O. 1927, c. 342.
Colonization Roads Act. R.S.O. 1927, c. 37; 1928, c. 13 am.; 1931, c. 12 am.
Commissioners for Taking Affidavits Act. R.S.O. 1927, c. 109.
Community Halls Act. R.S.O. 1927, c. 247.
Companies. *See* Companies Act; Companies Information Act; Extra-Provincial Corporations Act; Minority Shareholders Rights Act; Real Estate Brokers Act; Security Frauds Prevention Act.
Companies Act. R.S.O. 1927, c. 218; 1928, c. 32 am.; 1929, c. 49 am.; 1930, c. 37 am.; 1931, c. 46 am.
Companies Information Act. 1928, c. 33; 1929, c. 50 am; 1930, c. 38 am.; 1931, c. 47 am.
Compensation. *See* Blind Workmen's Compensation Act; Industrial and Mining Lands Compensation Act; Workmen's Compensation Act; Workmen's Compensation Insurance Act.
Conditional Sales Act. R.S.O. 1927, c. 165; 1929, c. 23, s. 8 am.; 1931, c. 23 s. 12 am.
Consolidated Cheese Factories Act. R.S.O. 1927, c. 77.
Consolidated Revenue Fund Act. R.S.O. 1927, c. 22.
Constables Act. R.S.O. 1927, c. 125; 1929, c. 39 am.
Constitutional Questions Act. R.S.O. 1927, c. 117.
Continuation Schools Act. R.S.O. 1927, c. 325; 1928, c. 53, s. 3 am.; 1929, c. 84, ss. 5, 6 am.; 1930, c. 63, ss. 12, 13 am.; 1931, c. 71, s. 8 am.
Contributory Negligence act. R.S.O. 1927, c. 103; 1930, c. 27, s. 9 rep. and sup.
Controverted Elections Act. R.S.O. 1927, c. 11; 1928, c. 4 am.
Conveyancing. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Land Transfers Tax Act; Registry Act; Short Forms of Conveyances Act.
Conveyancing and Law of Property Act. R.S.O. 1927, c. 137.
Co-operative Credit Societies Act. 1922, c. 64.

Co-operative Marketing Loan Act. R.S.O. 1927, c. 75.
Corn Borer Act. R.S.O. 1927, c. 312; 1929, c. 23, s. 17 am.
Coroners Act. R.S.O. 1927, c. 123; 1931, c. 31 am.
Corporations Tax Act. R.S.O. 1927, c. 29; 1928, c. 21, s. 1 am.; 1930, c. 6 am.; 1931, c. 8 am.
Costs of Distress Act. R.S.O. 1927, c. 110; 1929, c. 34 am.; 1931, c. 28, s. 2 rep., ss. 3, 4 am.
Counties Reforestation Act. R.S.O. 1927, c. 289.
County Court Judges' Criminal Courts Act. R.S.O. 1927, c. 93.
County Courts Act. R.S.O. 1927, c. 91; 1928, c. 21, s. 5 am.
County Judges Act. R.S.O. 1927, c. 90; 1928, c. 21, s. 18 am.; 1929, c. 23, s. 3 am.; 1930, c. 25, s. 2 am., s. 3 rep.; 1931, c. 27 am.
County Publicity Act. R.S.O. 1927, c. 74; 1930, c. 21, s. 5 am.
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Cream. *See* Dairy Products Act; Milk and Cream Act.
Creditors Relief Act. R.S.O. 1927, c. 113.
Crown Administration of Estates Act. R.S.O. 1927, c. 104; 1930, c. 28 am.
Crown Attorneys Act. R.S.O. 1927, c. 122; 1929, c. 38 am.
Crown Timber Act. R.S.O. 1927, c. 38; 1928, c. 14 am.; 1929, c. 23, s. 2 am.
Crown Witnesses Act. R.S.O. 1927, c. 127.
Cullers Act. R.S.O. 1927, c. 209.
Custody of Documents Act. R.S.O. 1927, c. 157.

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Dairy. *See* Consolidated Cheese Factories Act; Cheese and Butter Exchanges Act; Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
Dairy Products Act. R.S.O. 1927, c. 267; 1930, c. 53 rep. and sup.
Damage by Fumes Arbitration Act. R.S.O. 1927, c. 49.
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Department of Agriculture Act. R.S.O. 1927, c. 66.
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Department of Labour Act. R.S.O. 1927, c. 62; 1931, c. 15 am.
Department of Public Welfare Act. 1931, c. 5.
Dependants' Relief Act. 1929, c. 47; 1930, c. 35 am.
Deserted Wives' and Children's Maintenance Act. R.S.O. 1927, c. 184.
Devolution of Estates Act. R.S.O. 1927, c. 148; 1929, c. 42 am.; 1930, c. 21, s. 11 am.; 1931, c. 32 am.
District Court Houses Act. R.S.O. 1927, c. 352.
District Houses of Refuge Act. R.S.O. 1927, c. 349; 1931, c. 75 am.
Ditches and Watercourses Act. R.S.O. 1927, c. 316; 1931, c. 67 am.
Division Courts Act. R.S.O. 1927, c. 95; 1929, c. 30 am.
Divorce. *See* Matrimonial Causes Act; Vital Statistics Act.
Dogs. *See* Dog Tax and Sheep Protection Act; Vicious Dogs Act.
Dog Tax and Sheep Protection Act. R.S.O. 1927, c. 300; 1929, c. 78 am.
Dominion Agricultural Credit Company, Limited. 1931, c. 18.
Dominion Commissioners of Police Act. R.S.O. 1927, c. 124.
Dominion Courts Act. R.S.O. 1927, c. 87.
Dower Act. R.S.O. 1927, c. 100; 1928, c. 21, s. 6 am.
Drainage. *See* Ditches and Watercourses Act; Municipal Drainage Act; Municipal Drainage Aid Act; Provincial Aid to Drainage Act; Tile Drainage Act.
Drugless Practitioners Act. R.S.O. 1927, c. 200; 1928, c. 45, s. 2 aff.

E

EDUCATION. *See* Adolescent School Attendance Act; Agricultural College Act; Auxiliary Classes Act; Boards of Education Act; Boys' Welfare Home and School Act; College of Art Act; Continuation Schools Act; Department of Education Act; High Schools Act; Industrial Schools Act; Mining Schools Act; Ontario Training Schools Act; Public Schools Act; School Attendance Act; Schools for the Deaf and Blind Act; Separate Schools Act; University Act; Upper Canada College Act; Veterinary Science Practice Act; Vocational Education Act; School Law Amendment Act.

EGRESS FROM PUBLIC BUILDINGS ACT. R.S.O. 1927, c. 284.

ELECTION ACT. R.S.O. 1927, c. 8; 1928, c. 3 am.; 1929, c. 5 am.; 1930, c. 3 am.

ELECTIONS. *See* Municipal Act; Controverted Elections Act; Election Act; Political Contributions Act; Personation Act; Voters' Lists Act.

ELECTRIC RAILWAYS. *See* Municipal Electric Railway Act; Railway Act; Hydro Electric Railway Act.

EMBALMERS AND FUNERAL DIRECTORS ACT. 1928, c. 31.

EMBALMERS AND UNDERTAKERS' ACT. R.S.O. 1927, c. 211; 1928, c. 31 rep. and sup.

EMPLOYMENT AGENCIES ACT. R.S.O. 1927, c. 216.

ENGINEERS. *See* Professional Engineers Act; Stationary and Hoisting Engineers Act.

ENTRY OF HORSES AT EXHIBITIONS ACT. R.S.O. 1927, c. 271.

ESCHEATS ACT. R.S.O. 1927, c. 133.

ESTATES TAIL ACT. R.S.O. 1927, c. 141.

ESTREATS ACT. R.S.O. 1927, c. 128; 1928, c. 22 am.

EVIDENCE ACT. R.S.O. 1927, c. 107; 1929, c. 33 am.; 1930, c. 29 am.

EXECUTION ACT. R.S.O. 1927, c. 112; 1929, c. 35 am.

EXECUTIVE COUNCIL ACT. R.S.O. 1927, c. 14; 1930, c. 5 am.

EXTRA JUDICIAL SERVICES ACT. R.S.O. 1927, c. 89.

EXTRAMURAL EMPLOYMENT OF PERSONS UNDER SENTENCE ACT. R.S.O. 1927, c. 363.

EXTRA PROVINCIAL CORPORATIONS ACT. R.S.O. 1927, c. 219; 1928, c. 21, s. 19 am.; 1929, c. 52 am.

F

FACTORS ACT. R.S.O. 1927, c. 168.

FACTORY, SHOP AND OFFICE BUILDING ACT. R.S.O. 1927, c. 275; 1929, c. 72, ss. 2, 3, 9, 13 aff., ss. 4-8 and 10-12 am.

FARM LOANS. *See* Agricultural Development Act; Agricultural Development Finance Act; Farm Loans Act.

FARM LOANS ACT. R.S.O. 1927, c. 69.

FATAL ACCIDENTS ACT. R.S.O. 1927, c. 183.

FEMALE PATIENTS AND PRISONERS PROTECTION ACT. R.S.O. 1927, c. 283.

FEMALE REFUGES ACT. R.S.O. 1927, c. 347.

FENCES. *See* Line Fences Act; Snow Roads and Fences Act.

FERRIES ACT. R.S.O. 1927, c. 159.

FINES AND FORFEITURES ACT. R.S.O. 1927, c. 129.

FIRE. *See* Accidental Fires Act; Fire Accidents Act; Fire Departments Act; Fire Guardians Act; Fire Marshals Act; Fires Extinguishment Act; Forest Fires Prevention Act; Prevention of Accidents by Fire in Hotels Act; Railway Fire Charge Act.

FIRE ACCIDENTS ACT. R.S.O. 1927, c. 296.

FIRE DEPARTMENTS ACT. R.S.O. 1927, c. 245.

FIRE GUARDIANS ACT. R.S.O. 1927, c. 293.

FIRE MARSHALS ACT. R.S.O. 1927, c. 295; 1929, c. 76 am.; 1930, c. 61 am.; 1931, c. 62 am.

FIREMEN. *See* Fire Departments Act; Firemen's Exemption Act.

FIREMEN'S EXEMPTION ACT. R.S.O. 1927, c. 244.

FIRES EXTINGUISHMENT ACT. R.S.O. 1927, c. 294.

FOREST. *See* Forest Fires Prevention Act; Forestry Act; Private Forest Reserves Act; Provincial Forests Act.

FOREST FIRES PREVENTION ACT. R.S.O. 1927, c. 291; 1930, c. 60 rep. and sup.

FOREST RESERVES ACT. R.S.O. 1927, c. 40; 1929, c. 14, s. 12 rep.

FORESTRY ACT. R.S.O. 1927, c. 41.

FOWL. *See* Transportation of Fowl Act.

Fraud. *See* Alberta Coal Sales Act; Fraudulent Conveyances Act; Fraudulent Debtors' Arrest Act; Fruit Sales Act; Real Estate Brokers Act; Security Frauds' Prevention Act; Statute of Frauds.

Fraudulent Conveyances Act. R.S.O. 1927, c. 134.

Fraudulent Debtors' Arrest Act. R.S.O. 1927, c. 115.

Fruit Packing Act. R.S.O. 1927, c. 76.

Fruit Pests Act. R.S.O. 1927, c. 310.

Fruit Sales Act. R.S.O. 1927, c. 269.

Fruit and Vegetables Consignment Act. R.S.O. 1927, c. 270.

Fuel Supply Act. R.S.O. 1927, c. 51.

Fur-Bearing Animals Kept in Captivity Act. R.S.O. 1927, c. 321.

G

Game and Fisheries Act. R.S.O. 1927, c. 318; 1928, c. 52 am.; 1929, c. 82 am.; 1930, c. 62 am.; 1931, c. 69 am.

Gaming Act. R.S.O. 1927, c. 260.

Gaols Act. R.S.O. 1927, c. 351; 1931, c. 23, s. 25 am.

Gas. *See* Natural Gas Conservation Act; Well Drillers Act.

Gasoline Tax Act. R.S.O. 1927, c. 55; 1929, c. 18 am.; 1931, c. 23, s. 6 am.

General Purchasing Agent's Act. R.S.O. 1927, c. 34.

General Sessions Act. R.S.O. 1927, c. 92.

Ginseng Act. R.S.O. 1927, c. 313.

Government Stock. *See* Provincial Loans Act.

Guarantee Companies Securities Act. R.S.O. 1927, c. 230.

Guardianship. *See* Infants Act.

Guelph Railway Act. 1921, c. 22; 1923, c. 40 am.; 1931, c. 14 am.

H

Habeas Corpus Act. R.S.O. 1927, c. 116.

Haliburton Act. R.S.O. 1927, c. 4; 1931, c. 4, s. 4 aff.; 1931, c. 71, s. 16 am.

Health. *See* One Day's Rest in Seven Act; Public Health Act; Silicosis Act; Vaccination Act; Venereal Diseases Prevention Act.

High Schools Act. R.S.O. 1927, c. 326; 1928, c. 53, ss. 4-6 am.; 1929, c. 84, ss. 7-11 am.; 1930, c. 63, ss. 14-17 am.; 1931, c. 71, ss. 9-13 am.

Highway. *See* Colonization Roads Act; Highway Improvement Act; Highway Improvement Fund Act; Highway Traffic Act; Public Service Works on Highways Act; Public Commercial Vehicle Act; Public Vehicle Act; Snow Roads and Fences Act; Statute Labour Act; Tree Planting Act.

Highway Improvement Act. R.S.O. 1927, c. 54; 1928, c. 18 am.; 1929, c. 17 am.; 1930, c. 10 am.; 1931, c. 11, ss. 1-12 am.; s. 13 rep.

Highway Improvement Fund Act. 1930, c. 11.

Highway Traffic Act. R.S.O. 1927, c. 251; 1928, c. 42 am.; 1929, c. 68 am.; 1930, cc. 47, 48 am.; 1931, c. 54 am.

Horses. *See* entry of Horses at Exhibitions Act; Stallion Act.

Horticultural Societies Act. R.S.O. 1927, c. 72.

Hospitals. *See* Charitable Institutions Act; Hospitals and Charitable Institutions Act; Hospitals for the Insane Act; Ontario Hospital, Woodstock, Act; Private Hospitals Act; Private Sanitarium Act; Psychiatric Hospitals Act; Public Hospitals Act; Sanatoria for Consumptives Act; Toronto General Hospital Act.

Hospitals and Charitable Institutions Act. R.S.O. 1927, c. 359; 1928, c. 59 am.; 1930, c. 21, s. 18 am.; 1931, c. 78 rep. and sup.

Hospitals for the Insane Act. R.S.O. 1927, c. 353; 1930, c. 66 am.; 1931, c. 23, s. 26 am.

Hotels Act. 1929, c. 75.

Hours of Labour. *See* Factory, Shop and Office Building Act; Fire Departments Act; Mining Act; Municipal Act; One Day's Rest in Seven Act; Railway Act.

Houses of Refuge Act. R.S.O. 1927, c. 348; 1931, c. 74 am.

HYDRO-ELECTRIC. *See* Hydro-Electric Negligence Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Power Commission Act; Power Commission Insurance Act; Rural Hydro-Electric Distribution Act; Water Powers' Regulation Act.

HYDRO-ELECTRIC NEGLIGENCE ACT. R.S.O. 1927, c. 61.

HYDRO-ELECTRIC RAILWAY ACT. 1929, c. 55.

I

INDIAN LANDS ACT. 1924, c. 15.

INDUSTRIAL EDUCATION. *See* Vocational Education Act.

INDUSTRIAL FARMS ACT. R.S.O. 1927, c. 350; 1931, c. 23, s. 24 am.

INDUSTRIAL AND MINING LANDS COMPENSATION ACT. R.S.O. 1927, c. 147.

INDUSTRIAL SCHOOLS ACT. R.S.O. 1927, c. 329; 1931, c. 73 am.

INDUSTRIAL SITES ACT. 1929, c. 59.

INFANTS. *See* Children.

INFANTS ACT. R.S.O. 1927, c. 186; 1929, c. 48 am.

INJURED ANIMALS ACT. R.S.O. 1927, c. 302.

INNKEEPERS' ACT. R.S.O. 1927, c. 210; 1929, c. 75, s. 3 rep.

INSANE. *See* Hospitals for the Insane Act; Psychiatric Hospitals Act.

INSOLVENCY. *See* Assignment and Preferences Act.

INSURANCE. *See* An Act respecting Dominion Agricultural Credit Company, Limited; Highway Traffic Act; Insurance Act; Workmen's Compensation Insurance Act; Power Commission Insurance Act.

INSURANCE ACT. R.S.O. 1927, c. 222; 1928, c. 35 am.; 1929, c. 53 am.; 1930, c. 41 am.; 1931, c. 18 aff.; c. 23, s. 17 aff.; c. 49 am.

INTERPRETATION ACT. R.S.O. 1927, c. 1.

INTESTATE SUCCESSION. *See* Devolution of Estates Act.

INVESTIGATION OF TITLES ACT. 1929, c. 41; 1930, c. 30 am.

IRON ORE BOUNTY ACT. 1924, c. 19; 1930, c. 9 rep. and sup.

J

JUDGES' ORDERS ENFORCEMENT ACT. R.S.O. 1927, c. 111.

JUDICATURE ACT. R.S.O. 1927, c. 88, 1928; c. 21, s. 4 am.; 1930, c. 21, s. 6 aff. s. 7 rep.; c. 22 am.; c. 23 am.; 1931, c. 24 am.

JURORS' ACT. R.S.O. 1927, c. 96; 1929, c. 31 am.

JUSTICES OF THE PEACE ACT. R.S.O. 1927, c. 118; 1931, c. 29 am.

JUVENILE COURTS ACT. R.S.O. 1927, c. 281; 1928, c. 48 am.; 1929, c. 74 am.; 1930, c. 57 am.; 1931, c. 23, s. 21 am.

K

KAPUSKASING, TOWN OF. 1921, c. 36; 1930, c. 21, s. 19 am.

KING'S PRINTER ACT. R.S.O. 1927, c. 79.

L

LABOUR. *See* Blind Workmen's Compensation Act; Department of Labour Act; Employment Agencies Act; Minimum Wage Act; One Day's Rest in Seven Act; Unemployment Relief Act; Workmen's Compensation Act.

LAC SEUL CONSERVATION ACT. 1928, c. 12.

LAKES AND RIVERS IMPROVEMENT ACT. R.S.O. 1927, c. 43; 1928, c. 11 am.

LAND. *See* Indian Lands Act; Industrial Sites Act; Investigation of Titles Act; Land Titles Act; Land Transfer Tax Act; Northern Development Act; Provincial Land Tax Act; Public Lands Act; Registry Act; Returned Soldiers' and Sailors' Land Settlement Act; Tax Sales Confirmation Act; Veterans' Land Grant Act.

LAND SURVEYORS ACT. R.S.O. 1927, c. 201; 1928, c. 21, s. 9 am.; 1931, c. 41 rep. and sup.

LAND TITLES ACT. R.S.O. 1927, c. 158; 1929, c. 45 am.; 1931, c. 23, s. 11 am.

Land Transfer Tax Act. R.S.O. 1927, c. 31.
Landlord and Tenant Act. R.S.O. 1927, c. 190; 1928, c. 30 am.
Law Society Act. R.S.O. 1927, c. 192; 1928, c. 21, s. 8 am.; 1930, c. 21, s. 13 am.
Law Stamps Act. R.S.O. 1927, c. 27.
Leases. *See* Short Forms of Leases Act.
Legislative Assembly Act. R.S.O. 1927, c. 12; 1930, c. 4 am.
Legislative Secretary for Northern Ontario Act. R.S.O. 1927, c. 15.
Legitimation Act. R.S.O. 1927, c. 187.
Libel and Slander Act. R.S.O. 1927, c. 101.
Libraries. *See* Public Libraries Act.
Lieutenant-Governor's Act. R.S.O. 1927, c. 13.
Lightning Rod Act. R.S.O. 1927, c. 297; 1931, c. 63 am.
Limitations Act. R.S.O. 1927, c. 106.
Limited Partnership Act. R.S.O. 1927, c. 171; 1930, c. 21, s. 12 am.; 1931, c. 23, s. 13 am.
Line Fences Act. R.S.O. 1927, c. 315; 1931, c. 66 am.
Liquor Control Act. R.S.O. 1927, c. 257; 1928, c. 44 am.; 1929, c. 69 am., c. 75, s. 3 am.; 1930, c. 51 am.
Live Stock and Products Act. R.S.O. 1927, c. 306.
Load of Vehicles. *See* Highway Traffic Act.
Loan and Trust Corporations Act. R.S.O. 1927, c. 223; 1928, c. 21, s. 10 am., c. 36 am.; 1929, c. 54 am.; 1930, c. 42 am.; 1931, c. 18 aff.; c. 23, s. 18 am.
Loans. *See* Agricultural Development Act; Agricultural Development Finance Act; Co-operative Marketing Loan Act; Farm Loans Act; Loan and Trust Corporations Act; Money Lenders Act; Ontario Loan Act; Provincial Loans Act; Rural Power District Loans Act.
Local Improvement Act. R.S.O. 1927, c. 235; 1928, c. 38 am.; 1929, c. 60 am.; 1930, c. 45 am.; 1931, c. 55 am.
Long Point Park Act. R.S.O. 1927, c. 84.
Lunacy Act. R.S.O. 1927, c. 98; 1929, c. 32 am.; 1930, c. 26 am.
Luxury Tax Act. R.S.O. 1927, c. 33.

M

Magistrates Act. R.S.O. 1927, c. 119; 1929, c. 23, s. 5 am.; 1930, c. 21, s. 9 am.
Magistrates' Jurisdiction Act. 1929, c. 36.
Manitoba. *See* Ontario and Manitoba Boundary Line Act.
Marketing. *See* An Act respecting Dominion Agricultural Credit Company, Limited; Co-operative Marketing Loan Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Ontario Marketing Act.
Marriages. *See* Marriage Act; Vital Statistics Act.
Marriage Act. R.S.O. 1927, c. 181; 1928, c. 27 am.; 1931, c. 23, s. 14 am.
Married Women's Property Act. R.S.O. 1927, c. 182; 1931, c. 33 am.
Master and Servant Act. R.S.O. 1927, c. 177; 1929, c. 23, s. 9.
Maternity Boarding House Act. R.S.O. 1927, c. 278.
Matrimonial Causes Act. 1931, c. 25.
McMaster University Lands Act. 1931, c. 72.
Mechanics' Lien Act. R.S.O. 1927, c. 173.
Medical Act. R.S.O. 1927, c. 196.
Mercantile Law Amendment Act. R.S.O. 1927, c. 161.
Milk. *See* Dairy Products Act; Milk and Cream Act; Milk, Cheese and Butter Act.
Milk, Cheese and Butter Act. R.S.O. 1927, c. 266.
Milk and Cream Act. R.S.O. 1927, c. 265.
Mills Licensing Act. R.S.O. 1927, c. 39.
Minimum Wage Act. R.S.O. 1927, c. 277; 1929, c. 23, s. 14 am.
Mining. *See* Damage by Fumes Arbitration Act; Industrial and Mining Lands Compensation Act; Iron Ore Bounty Act; Mining Act; Mining Schools Act; Mining Tax Act; Radium Act; Unwrought Metal Sales Act.
Mining Act. R.S.O. 1927, c. 45; 1928, c. 16 am.; 1929, c. 15 am.; 1930, c. 8 am.; 1931, c. 10 am.

Mining Schools Act. R.S.O. 1927, c. 341.
Mining Tax Act. R.S.O. 1927, c. 28; 1930, c. 21, s. 3 am.; 1931, c. 8 am.
Minority Shareholders Rights Act. R.S.O. 1927, c. 229.
Minors' Protection Act. R.S.O. 1927, c. 259.
Money-Lenders Act. R.S.O. 1927, c. 212.
Mortgage Tax Act. R.S.O. 1927, c. 156; 1929, c. 44 am.
Mortgages. *See* Bills of Sale and Chattel Mortgages Act; Mortgages Act; Short Forms of Mortgages Act.
Mortgages Act. R.S.O. 1927, c. 140.
Mortmain and Charitable Uses Act. R.S.O. 1927, c. 132.
Motor Vehicles. *See* Highway Traffic Act.
Mothers' Allowances Act. R.S.O. 1927, c. 280; 1928, c. 47 am.; 1929, c. 23, s. 16 am.; 1930, c. 55 am.; 1931, c. 23, s. 20 am.
Moving Pictures. *See* Theatres and Cinematographs Act.
Municipal Affairs. *See* Assessment Act; Bonus Limitation Act; Bureau of Municipal Affairs Act; Industrial Sites Act; Local Improvement Act; Municipal Act; Planning and Development Act; Statute Labour Act; Suburban Area Development Act.
Municipal Act. R.S.O. 1927, c. 233; 1928, c. 37 am.; 1929, c. 57 am., c. 58 am. c. 79, s. 13 am.; 1930, c. 44 am.; 1931, c. 50 am.
Municipal Arbitrations Act. R.S.O. 1927, c. 242; 1928, c. 40 am.
Municipal Board. *See* Railway and Municipal Board Act.
Municipal Drainage Act. R.S.O. 1927, c. 241; 1931, c. 56 am.
Municipal Drainage Aid Act. R.S.O. 1927, c. 64.
Municipal Elections. *See* Municipal Act; Voters' Lists Act.
Municipal Electric Railway Act. R.S.O. 1927, c. 226.
Municipal Franchises Act. R.S.O. 1927, c. 240; 1929, c. 65 am.
Municipal and School Accounts Audit Act. R.S.O. 1927, c. 243; 1931, c. 53 am.
Museum. *See* Royal Ontario Museum.

N

Natural Gas. *See* Natural Gas Conservation Act; Mining Tax Act, Part II; Well Drillers Act.
Natural Gas Conservation Act. R.S.O. 1927, c. 47; 1929, c. 16 am.; 1931, c. 23, ss. 2-5 am.
Negligence Act. 1930, c. 27; 1931, c. 26 am.
Niagara Parks Act. R.S.O. 1927, c. 81; 1929, c. 27 am.; 1931, c. 22 am.
Northern Development Act. R.S.O. 1927, c. 36; 1929, c. 12 am.
Northern Ontario. *See* Legislative Secretary for Northern Ontario Act; Northern Development Act; Northern Ontario Appropriation Act; Northern Ontario Relief Act.
Northern Ontario Appropriation Act. 1929, c. 11; 1930, c. 7; 1931, c. 3.
Northern Ontario Relief Act. 1928, c. 10.
Notaries Act. R.S.O. 1927, c. 195.
Nurses. *See* Registration of Nurses Act.

O

Offensive Weapons Act. R.S.O. 1927, c. 288.
Official Notices Publication Act. R.S.O. 1927, c. 21.
Oil Wells. *See* Well Drillers Act.
Old Age Pensions Act. 1929, c. 73; 1930, c. 56 am.
One Day's Rest in Seven Act. R.S.O. 1927, c. 276.
Ontario and Manitoba Boundary Line Act. 1929, c. 3.
Ontario Hospital, Woodstock, Act. R.S.O. 1927, c. 356; 1931, c. 23, s. 29 am.
Ontario Loan Act. 1928, c. 6; 1929, c. 2; 1930, c. 2.; 1931, c. 2.
Ontario Marketing Act. 1931, c. 17.
Ontario Training Schools Act. 1931, c. 60.
Optometry Act. R.S.O. 1927, c. 215; 1931, c. 45 am.

P

Paper Mills. *See* Mills Licensing Act.

Parents' Maintenance Act. R.S.O. 1927, c. 185; 1929, c. 46 am.

Parks. *See* Burlington Beach Act; Long Point Park Act; Niagara Parks Act; Presqu'ile Park Act; Provincial Parks Act; Public Parks Act.

Parole Act. R.S.O. 1927, c. 362; 1929, c. 23, s. 18 am.

Partition Act. R.S.O. 1927, c. 142.

Partnership. *See* Limited Partnership Act; Partnership Act; Partnership Registration Act.

Partnership Act. R.S.O. 1927, c. 170.

Partnership Registration Act. R.S.O. 1927, c. 172.

Patricia Act. R.S.O. 1927, c. 5.

Pawnbrokers' Act. R.S.O. 1927, c. 213.

Personation Act. R.S.O. 1927, c. 9.

Petty Trespass Act. R.S.O. 1927, c. 139.

Pharmacy Act. R.S.O. 1927, c. 199.

Planning and Development Act. R.S.O. 1927, c. 236; 1929, c. 61 am.; 1930, . 21, s. 14 am.

Police. *See* Constables Act; Dominion Commissioners of Police Act.

Police Magistrates. *See* Magistrates Act.

Political Contributions Act. R.S.O. 1927, c. 10; 1929, c. 6 rep. and sup.

Pool Rooms. *See* Minors Protection Act.

Pounds Act. R.S.O. 1927, c. 301.

Power. *See* Central Ontario Power Act; Lac Seul Conservation Act; Power Commission Act; Power Commission and Companies Transfer Act; Power Commission Insurance Act; Rural Power District Loans Act; Rural Power District Service Charge Act; Water Powers Regulation Act.

Power Commission Act. R.S.O. 1927, c. 57; 1928, c. 19, ss. 2-5 am., s. 6 aff.; 1929, c. 20 am., c. 21 aff., c. 23, s. 20 aff.; 1930, c. 12, ss. 2-11 am., s. 12 aff.; 1931, c. 13, ss. 2-9 am., ss. 10-14 aff.

Power Commission and Companies' Transfer Act. 1929, c. 22; 1930, c. 15.

Power Commission Insurance Act. R.S.O. 1927, c. 60.

Powers of Attorney Act. R.S.O. 1927, c. 135.

Presqu'ile Park Act. R.S.O. 1927, c. 85; 1929, c. 28 am.

Prevention of Accidents by Fire in Hotels Act. R.S.O. 1927, c. 286; 1929, c. 75, s. 3 rep.

Prisons and Public Charities Inspection Act. R.S.O. 1927, c. 361; 1931, c. 80 rep. and sup.

Private Detectives Act. R.S.O. 1927, c. 214; 1930, c. 36 am.

Private Forest Reserves Act. R.S.O. 1927, c. 290.

Private Hospitals Act. 1931, c. 77.

Private Sanitarium Act. R.S.O. 1927, c. 355; 1931, c. 23, s. 28 am.

Privy Council Appeals Act. R.S.O. 1927, c. 86.

Probation Act. R.S.O. 1927, c. 364; 1929, c. 88 am.

Professional Engineers Act. R.S.O. 1927, c. 206.

Property and Civil Rights Act. R.S.O. 1927, c. 130.

Protection of Birds Act. R.S.O. 1927, c. 319.

Protection of Cattle Act. R.S.O. 1927, c. 304; 1928, c. 50 am.

Provincial Aid to Drainage Act. R.S.O. 1927, c. 63; 1929, c. 24 am.

Provincial Auctioneers' License Act. R.S.O. 1927, c. 217.

Provincial Forests Act. 1929, c. 14, rep. and sub.; 1931, c. 23, s. 30 am.

Provincial Highways. *See* Highway Improvement Act.

Provincial Land Tax Act. R.S.O. 1927, c. 30; 1928, c. 8 am.; 1930, c. 21, s. 4 am.

Provincial Loans. *See* Loans.

Provincial Loans Act. R.S.O. 1927, c. 23.

Provincial Parks Act. R.S.O. 1927, c. 82.

Psychiatric Hospitals Act. R.S.O. 1927, c. 354; 1931, c. 23, s. 27 am.

Public Authorities Protection Act. R.S.O. 1927, c. 120.

Public Buildings. *See* Egress from Public Buildings.

PUBLIC COMMERCIAL VEHICLE ACT. R.S.O. 1927, c. 253; 1930, c. 49 am.

PUBLIC HEALTH ACT. R.S.O. 1927, c. 262; 1928, c. 45 am.; 1930, c. 52 am.; 1931, c. 58 am.

PUBLIC HOSPITALS ACT. 1931, c. 78.

PUBLIC INQUIRIES ACT. R.S.O. 1927, c. 20.

PUBLIC INSTITUTIONS INSPECTION ACT. 1931, c. 80.

PUBLIC LANDS ACT. R.S.O. 1927, c. 35; 1928, c. 9 am.

PUBLIC LIBRARIES ACT. R.S.O. 1927, c. 246; 1929, c. 66 am.; 1931, c. 71, s. 17 am.

PUBLIC OFFICERS ACT. R.S.O. 1927, c. 17.

PUBLIC OFFICERS FEES ACT. R.S.O. 1927, c. 19; 1929, c. 9 am.; 1931, c. 23, s. 1 am.

PUBLIC AND OTHER WORKS WAGES ACT. R.S.O. 1927, c. 175.

PUBLIC PARKS ACT. R.S.O. 1927, c. 248.

PUBLIC REVENUE ACT. R.S.O. 1927, c. 24.

PUBLIC SCHOOLS ACT. R.S.O. 1927, c. 323; 1928, c. 53, ss. 1, 2 am.; 1929, c. 84, ss. 2 3, 4 am.; 1930, c. 63, ss. 3-11 am.; 1931, c. 71, ss. 2-7 am.

PUBLIC SERVICE. *See* An Act for granting to His Majesty certain sums of Money for the Public Service; General Purchasing Agent's Act; Public Officers Fees Act; Public Service Act.

PUBLIC SERVICE ACT. R.S.O. 1927, c. 16; 1928, c. 5 am.; 1929, c. 7 am.; 1931, c. 6 am

PUBLIC SERVICE WORKS ON HIGHWAYS ACT. R.S.O. 1927, c. 56; 1929, c. 19 am.

PUBLIC TRUSTEE ACT. R.S.O. 1927, c. 151; 1930, c. 32 am.; 1931, c. 23, s. 8 am.

PUBLIC UTILITIES ACT. R.S.O. 1927, c. 249; 1928, c. 41 am.; 1929, c. 67 am.; 1930, c. 21, s. 15 am.; 1931, c. 57 am.

PUBLIC UTILITIES CORPORATIONS ACT. R.S.O. 1927, c. 228.

PUBLIC WELFARE. *See* Department of Public Welfare Act.

PUBLIC WORKS ACT. R.S.O. 1927, c. 52.

PUBLIC VEHICLES ACT. R.S.O. 1927, c. 252; 1928, c. 43 am.

PULP AND PULPWOOD. *See* Crown Timber Act; Mills Licensing Act; Pulpwood Conservation Act.

PULPWOOD CONSERVATION ACT. 1929, c. 13.

Q

QUIETING TITLES ACT. R.S.O. 1927, c. 154; 1931, c. 23, s. 9 am.

R

RACE TRACKS. *See* Corporations Tax Act.

RADIUM ACT. R.S.O. 1927, c. 46.

RAILWAY ACT. R.S.O. 1927, c. 224; 1930, c. 43 am.

RAILWAY FIRE CHARGE ACT. R.S.O. 1927, c. 292.

RAILWAY AND MUNICIPAL BOARD ACT. R.S.O. 1927, c. 225; 1928, c. 21, s. 11 am.; 1929, c. 23, s. 12 am.

RAILWAYS. *See* Guelph Railway Act; Hydro-Electric Railway Act; Municipal Electric Railway Act; Railway Act; Railway and Municipal Board Act; Railway Fire Charge Act; Sandwich, Windsor and Amherstburg Railway Act; Windsor, Essex and Lake Shore Rapid Railway Act.

REAL ESTATE BROKERS ACT. 1930, c. 40.

RECIPROCAL ENFORCEMENT OF JUDGMENTS ACT. 1929, c. 29.

REFORESTATION. *See* Forestry Act.

REFORMATORY ACT. R.S.O. 1927, c. 345; 1931, c. 23, s. 22 am.

REGISTRATION. *See* Land Titles Act; Partnership Registration Act; Registration of Nurses Act; Registry Act; Vital Statistics Act.

REGISTRATION OF NURSES ACT. R.S.O. 1927, c. 360; 1929, c. 87 am.

REGISTRY ACT. R.S.O. 1927, c. 155; 1929, c. 43 am.; 1930, c. 34 am.; 1931, c. 23, s. 10 am.

RELIGIOUS INSTITUTIONS ACT. R.S.O. 1927, c. 344.

REPLEVIN ACT. R.S.O. 1927, c. 99.

REPRESENTATION ACT. R.S.O. 1927, c. 6.

RESEARCH FOUNDATION ACT. 1928, c. 57; 1929, c. 86 am.

Returned Soldiers' and Sailors' Land Settlement Act. 1917, c. 13; 1918, c. 8, s. 2 aff.; 1919, c. 15 aff.; 1920, c. 16 am.; 1921, c. 18 aff.; 1926, c. 9, s. 2 aff.; c. 10, ss. 3, 6, 11 aff.; 1927, c. 13 aff.

Revenue. *See* An Act for granting to His Majesty certain sums of money for the Public Service; An Act for Raising Money on the Credit of the Consolidated Revenue Fund; Consolidated Revenue Fund Act; Public Revenue Act.

Revised Statutes Act. 1928, c. 2.

Rivers. *See* Beach Protection Act; Beaches and River Beds Act; Bed of Navigable Waters Act; Lakes and Rivers Improvement Act.

Roads. *See* Highway.

Royal Ontario Museum Act. R.S.O. 1927, c. 343; 1928, c. 21, s. 23 aff.

Rural Hydro-Electric Distribution Act. R.S.O. 1927, c. 59.

Rural Power District Loans Act. 1930, c. 14.

Rural Power District Service Charge Act. 1930, c. 15.

S

Sale of Goods Act. R.S.O. 1927, c. 163.

Sales. *See* Alberta Coal Sales Act; Bread Sales Act; Bulk Sales Act; Conditional Sales Act; Fruit and Vegetables Consignment Act; Fruit Sales Act; Milk and Cream Act; Milk, Cheese and Butter Act; Sale of Goods Act; Tax Sales Confirmation Act.

Sanatoria for Consumptives Act. R.S.O. 1927, c. 357; 1931, c. 76 rep. and sup.

Sandwich, Windsor and Amherstburg Railway Act. 1930, c. 17.

Sawlogs. *See* Cullers' Act; Lakes and Rivers Improvement Act, Part VI.

Saw Mills. *See* Mills Licensing Act.

School Attendance Act. R.S.O. 1927, c. 332; 1930, c. 63, ss. 23-28 am.

School Law Amendment Act. 1928, c. 53; 1929, c. 84; 1930, c. 63; 1931, c. 71.

Schools Sites Act. R.S.O. 1927, c. 335; 1928, c. 54 rep. and sup.; 1930, c. 63, s. 31 am.

School Trust Conveyances Act. R.S.O. 1927, c. 336.

Schools. *See* Education; Ontario Training Schools Act; School Sites Act; School Trust Conveyances Act.

Schools for the Deaf and Blind Act. R.S.O. 1927, c. 330.

Security Frauds Prevention Act. 1928, c. 34; 1929, c. 51 am.; 1930, c. 39 rep. and sup.; 1931, c. 48 am.

Seduction Act. R.S.O. 1927, c. 102.

Separate Schools Act. R.S.O. 1927, c. 328; 1928, c. 53, s. 8 am.; 1930, c. 63, s. 20 am.

Settled Estates Act. R.S.O. 1927, c. 105.

Sheep. *See* Dog Tax and Sheep Protection Act.

Sheriff's Act. R.S.O. 1927, c. 18; 1929, c. 8 am.; 1930, c. 21, s. 1 am.

Short Forms of Conveyances Act. R.S.O. 1927, c. 143.

Short Forms of Leases Act. R.S.O. 1927, c. 144; 1929, c. 23, s. 7 am.

Short Forms of Mortgages Act. R.S.O. 1927, c. 145.

Shows. *See* Theatres and Cinematographs Act; Travelling Shows Act.

Silicosis Act. 1929, c. 71; 1930, c. 59 am.

Snow Roads and Fences Act. R.S.O. 1927, c. 254.

Soldiers. *See* Returned Soldiers' and Sailors' Land Settlement Act; Soldiers' Aid Commission Act.

Soldiers' Aid Commission Act. 1929, c. 4 rep. and sup.

Solicitors Act. R.S.O. 1927, c. 194.

Stallion Act. R.S.O. 1927, c. 303.

Standard Hotel Registration of Guests' Act. R.S.O. 1927, c. 258; 1929, c. 75, s. 3 rep.

Stationary and Hoisting Engineers' Act. R.S.O. 1927, c. 207.

Statute of Frauds. R.S.O. 1927, c. 131; 1929, c. 23, s. 6 am.

Statute Labour Act. R.S.O. 1927, c. 239.

Statute Law Amendment Act. 1928, c. 21; 1929, c. 23; 1930, c. 21; 1931, c. 23.

Statutes Act. R.S.O. 1927, c. 2.

Steam Boiler Act. R.S.O. 1927, c. 308; 1929, c. 80 am.

Steam Threshing Engines Act. R.S.O. 1927, c. 307.

Stenographic Reporters Act. R.S.O. 1927, c. 204.
Suburban Area Development Act. R.S.O. 1927, c. 237; 1929, c. 62 am.
Suburban Areas. *See* Planning and Development Act; Suburban Area Development Act.
Succession Duty Act. R.S.O. 1927, c. 26; 1928, c. 7 am.; 1929, c. 19 am.; 1931, c. 7 am.
Sulphur Fumes. *See* Damage by Fumes Arbitration Act.
Summary Convictions Act. R.S.O. 1927, c. 121; 1929, c. 37 am.; 1930, c. 21, s. 10 am.; 1931, c. 30 am.
Superannuation. *See* Public Service Act, Part III; Teachers' and Inspectors' Superannuation Act.
Surrogate Courts Act. R.S.O. 1927, c. 94; 1929, c. 23, s. 4 am.; 1930, c. 21, s. 8 am.; c. 25, s. 4 rep.
Surveyors. *See* Land Surveyors' Act.
Surveys Act. R.S.O. 1927, c. 202; 1931, c. 42 am.

T

Taxation. *See* Amusements Tax Act; Assessment Act; Corporations Tax Act; Gasoline Tax Act; Land Transfer Tax Act; Luxury Tax Act; Mining Tax Act; Mortgage Tax Act; Provincial Land Tax Act; Railway Fire Charge Act; Succession Duty Act; Tax Sales Confirmation Act.
Tax Sales Confirmation Act. 1929, c. 64; 1931, c. 52.
Teachers' and Inspectors' Superannuation Act. R.S.O. 1927, c. 331; 1929, c. 84, s. 13 am.; 1930, c. 63, ss. 21, 22 am.
Technical Education. *See* Vocational Education Act.
Telegraph Companies Act. R.S.O. 1927, c. 220.
Telephone Act. R.S.O. 1927, c. 227; 1928, c. 21, s. 12 am.; 1931, c. 23, s. 19 am.
Temiskaming and Northern Ontario Railway Act. R.S.O. 1927, c. 53.
Territorial Division Act. R.S.O. 1927, c. 3.
Theatres and Cinematographs Act. R.S.O. 1927, c. 285; 1930, c. 58 am.; 1931, c. 61 am.
Threshing Machines. *See* Steam Threshing Engines Act; Threshing Machines Act.
Threshing Machines Act. R.S.O. 1927, c. 287.
Ticket Speculation Act. R.S.O. 1927, c. 273.
Tile Drainage Act. R.S.O. 1927, c. 65; 1928, c. 21, s. 2 am.; 1929, c. 25 rep. and sup.; 1931, c. 16 am.
Timber. *See* Crown Timber Act; Cullers' Act; Provincial Forests Act; Pulpwood Conservation Act; Forestry Act; Timber Cutting Regulation Act.
Timber Cutting Regulation Act. 1928, c. 15.
Toronto General Hospital Act. R.S.O. 1927, c. 358; 1928, c. 58 aff; 1931, c. 140 am.
Town Sites Act. R.S.O. 1927, c. 44.
Trade Disputes Act. R.S.O. 1927, c. 178.
Training Schools Act. *See* Ontario Training Schools Act.
Transfer of Property. *See* Conveyancing and Law of Property Act; Investigation of Titles Act; Land Titles Act; Registry Act; Short Forms of Conveyances Act.
Transportation of Fowl Act. 1929, c. 79.
Travelling Shows Act. R.S.O. 1927, c. 256; 1930, c. 50 am.
Tree Planting Act. R.S.O. 1927, c. 255.
Trust Corporations Act. *See* Loan and Trust Corporations Act.
Trustee Act. R.S.O. 1927, c. 150; 1928, c. 23 am.; 1930, c. 31 am.; 1931, c. 23, s. 7 am.

U

Undertakers. *See* Embalmers and Funeral Directors Act.
Unemployment Relief Act. 1931, c. 4.
University Act. R.S.O. 1927, c. 337; 1930, c. 63, ss. 29, 30 am.
University Avenue Extension Act. 1928, c. 17; 1929, c. 23, s. 19 am
University Lands Act. 1928, c. 55; 1929, c. 85 am.; 1930, c. 65 aff.
University of Western Ontario Act. 1928, c. 56.
Unwrought Metal Sales Act. R.S.O. 1927, c. 50.
Upper Canada College Act. R.S.O. 1927, c. 338.

V

Vacant Land Cultivation Act. R.S.O. 1927, c. 250.
Vaccination Act. R.S.O. 1927, c. 263.
Vegetables. *See* Fruit and Vegetables Consignment Act.
Vehicles. *See* Highway Traffic Act; Public Vehicle Act; Public Commercial Vehicle Act.
Vendors and Purchasers Act. R.S.O. 1927, c. 153.
Venereal Diseases Prevention Act. R.S.O. 1927, c. 264.
Veterans' Land Grant Act. 1901, c. 6; 1920, c. 15; 1922, c. 17 am.
Veterinary College Act. R.S.O. 1927, c. 340.
Veterinary Science Practice Act. R.S.O. 1927, c. 208; 1931, c. 44 rep. and sup.
Vexatious Actions. *See* Public Authorities Protection Act; Vexatious Proceedings Act.
Vexatious Proceedings Act. 1930, c. 24.
Vicious Dogs Act. 1931, c. 64.
Vital Statistics Act. R.S.O. 1927, c. 78; 1929, c. 26 am.; 1930, c. 19 am.; 1931, c. 21 am.
Vocational Education Act. R.S.O. 1927, c. 334; 1929, c. 84, ss. 14, 15 am.; 1930, c. 64 rep. and sup.; 1931, c. 71, s. 15 am.
Voters' Lists Act. R.S.O. 1927, c. 7; 1929, c. 23, s. 1 am.

W

Wages. *See* Minimum Wage Act; Public and other Works Wages Act.
Wages Act. R.S.O. 1927, c. 176.
Warehousemen's Lien Act. R.S.O. 1927, c. 169.
Water Powers Regulation Act. R.S.O. 1927, c. 58.
Weed Control Act. R.S.O. 1927, c. 309; 1928, c. 51 am.
Well Drillers Act. R.S.O. 1927, c. 48.
Wharfs and Harbours Act. R.S.O. 1927, c. 221.
Wills Act. R.S.O. 1927, c. 149.
Windsor Essex and Lake Shore Rapid Railway Act. 1929, c. 56, ss. 2-18 aff., s. 19 am.; 1930, c. 18, ss. 2-4 aff., s. 5 am.
Witnesses. *See* Evidence Act.
Wives. *See* Deserted Wives' and Children's Maintenance Act; Depedants' Relief Act; Dower Act.
Wolf Bounty Act. R.S.O. 1927, c. 320; 1928, c. 21, s. 13 am.; 1929, c. 83 am.; 1930, c. 21, s. 17 am.; 1931, c. 70 am.
Women. *See* Deserted Wives' and Children's Maintenance Act; Dower Act; Factory, Shop and Office Building Act; Female Patients and Prisoners Protection Act; Female Refuges Act; Minimum Wage Act; Mothers' Allowances Act.
Woodmen's Lien for Wages Act. R.S.O. 1927, c. 174.
Workmen's Compensation Act. R.S.O. 1927, c. 179; 1928, c. 26 am.; 1931, c. 37 am.
Workmen's Compensation Insurance Act. R.S.O. 1927, c. 180.

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